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Volume No.

22

Royal Commission on Crime,

Monday May 14/62.

P.P. 4483—4716.

BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton, in the
County of Hastings, Deceased, and
WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

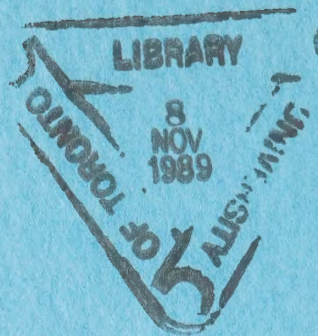
THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.





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A/1/DO/H

MONDAY, MAY 14, 1962

1
2 ---On resuming at 10:10 o'clock, a.m.

3
4 THE COMMISSIONER: Are you ready for
5 the witness, Mr. Wilson?

6 MR. WILSON: I think Mr. Riggs was in
7 the box for cross-examination.

8 THE COMMISSIONER: Yes.

9
10
11 JOHN RIGGS, resumed

12 THE COMMISSIONER: You are still under
13 oath, Mr. Riggs.

14 THE WITNESS: Yes, sir.

15 MR. HOGG: Thank you, Mr. Commissioner.

16
17 EXAMINED BY MR. HOGG:

18 Q. Mr. Riggs, I am intrigued by
19 your assets, when you have testified that you
20 had, for the past ten years, an income of some
21 five to six thousand dollars. Now, you told
22 us that you have a home and that is located
23 where?

24 A. On Belvedere Boulevard.

25 Q. How long have you lived there?

26 A. Approximately about 1950.

27 Q. For ten or eleven years?

28 A. Approximately.

29 Q. And have you any other property in
30



Page 1

THE JOURNAL OF THE

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1 this province, apart from the cottage?

2 A. No, sir.

3 Q. Did you ever live at 35 Kipling
4 Avenue?

5 A. No, sir.

6 Q. Well, a lease was supplied to
7 Mr. Cudney, the Deputy Provincial Secretary,
8 by Mr. Louis Herman on February 11th, 1960,
9 and lists a J. Riggs, 35 Kipling Avenue.

10 A. I can explain that. My mother -
11 that is where my mother lived, 35 Kipling.

12 Q. Why did you give her address and
13 not yours?

14 A. Well, I stayed there periodically
15 during the summer time.

16 Q. Is that your explanation?

17 A. Yes, sir.

18 Q. Now ---

19 THE COMMISSIONER: Q. Did you have
20 your own home at the time?

21 A. Yes, but my family would not be
22 there. They would be at the cottage.

23 MR. HOGG: Q. But the old list also
24 gives 35 Kipling Avenue. That is the member-
25 ship list seized by the police at the home of
26 one George Reid.

27 A. That is probably the same list.

28 Q. It is a different list, witness.

29 A. Well, they may have changed the
30 address from one card to the other in the



1 membership. I have no explanation for that.

2 Q. In any event, you did not give
3 your correct address and you say you gave your
4 mother's home?

5 A. That is correct.

6 Q. Have you a financial interest in
7 that home?

8 A. No, sir.

9 Q. You testified that you had a
10 cottage on Sturgeon Lake?

11 A. That is correct.

12 Q. And you purchased that cottage
13 when?

14 A. Approximately in 1950.

15 Q. For cash, in the amount of what?

16 A. Approximately \$5,000.

17 Q. Now, have you a boat there?

18 A. Yes, sir.

19 Q. When did you purchase this boat?

20 THE COMMISSIONER: Q. What kind of
21 boat is it? A rowboat or a yacht or what?

22 A. No. There was a boat that went
23 with the cottage, when I purchased the cottage.
24 And after that I bought another boat to the
25 extent of about \$1,500.

26 MR. HOAG: Q. About \$1,500. And from
27 who did you purchase that boat?

28 A. Gravette.

29 Q. The Gravette people?

30 A. Yes.



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1. The first part of the book is devoted to a general survey of the history of the subject.

2. The second part is devoted to a detailed study of the various theories of the subject.

3. The third part is devoted to a study of the various methods of the subject.

4. The fourth part is devoted to a study of the various applications of the subject.

5. The fifth part is devoted to a study of the various results of the subject.

6. The sixth part is devoted to a study of the various problems of the subject.

7. The seventh part is devoted to a study of the various theories of the subject.

8. The eighth part is devoted to a study of the various methods of the subject.

9. The ninth part is devoted to a study of the various applications of the subject.



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Q. Located where?

A. I believe they have a plant in
Gravenhurst.

Q. What type of boat is it?

A. Gravelle.

Q. Outboard or inboard?

A. Inboard.

Q. Inboard. Did you pay cash?

A. Yes, sir.

Q. Did you have any other large
outlays
financial ~~xxxx~~ at that cottage, Mr. Riggs?

What about a wall? Did you build a wall up there?

A. Yes, sir. It was not a wall,
exactly. It was a dock.

Q. A dock?

A. A dock. Not a wall.

Q. And who built that dock?

A. Mr. Kennedy.

Q. Who is Mr. Kennedy?

A. He was a farmer up there.

Q. He is one of the local people.

And how much did that cost?

A. As I remember, it would run around
five or six hundred dollars.

Q. Is that all?

A. Yes, sir.

Q. Any other large financial outlays?

A. No, sir.

Q. Did you buy a large outboard motor?

A. I bought an outboard motor previous



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1 to the other boat. That would be around
2 about 1951.

3 Q. What horsepower?

4 A. I believe it was 14.

5 Q. How much did it cost, four or
6 five hundred dollars?

7 A. At that time I don't believe it
8 was that much, no.

9 Q. You said you hadn't been south
10 for some time. You are referring to Florida,
11 are you?

12 A. Yes, sir.

13 Q. When was the last time you were
14 in Florida?

15 A. I don't recall, offhand.

16 Q. Three years ago?

17 A. Yes, sir, it could be.

18 Q. Did you fly down?

19 A. No, sir.

20 Q. How did you go down?

21 A. Drove down.

22 Q. In this car of yours?

23 A. Yes, sir.

24 Q. Or with somebody else?

25 A. My own car.

26 Q. Was that car new when you purchased
27 it?

28 A. It was new in 1958, yes.

29 Q. You bought a 1958 Cadillac. Cash?

30 A. Yes, sir.



Report of the Committee on the Administration of the Government

March 26, 1944

Dear Sirs:

I am pleased to hear that you are well.

I am sure that you will find the enclosed report of interest.

Very truly yours,

W. E. B. DuBois

Enclosed for you are

three copies of the report.

I am sure that you will find it of interest.

Very truly yours,

W. E. B. DuBois

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three copies of the report.

I am sure that you will find it of interest.



1 Q. Where did you buy it from?

2 A. The Kingsway Motors.

3 Q. Paid over \$5,000 cash for it?

4 A. I believe the amount involved was
5 about \$4,000.

6 Q. Cash?

7 A. With the car I turned in, yes.

8 Q. When did you buy this \$1,500
9 inboard runabout?

10 A. It was some years previous before
11 that. I don't recollect exactly what year
12 it might have been.

13 Q. This car in 1958 represented
14 four-fifths of your total income. You must
15 not eat very much.

16 A. At that time, as I pointed out to
17 the income tax branch at the time, there was
18 some money in a stock transaction.

19 Q. A stock transaction. I will
20 come to that. You told us three years ago you
21 went down to Florida; is that right?

22 A. Yes.

23 Q. Were you down two years ago?

24 A. Yes, sir.

25 Q. Were you down last year?

26 A. No, sir.

27 Q. Two years ago you went to Florida,
28 and did you drive or fly?

29 A. Drove.

30 Q. Drove. Where did you stay?



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1 A. The motel.
2 Q. How long did you stay there?
3 A. Three or four weeks.
4 Q. Three or four weeks. How much
5 did it cost per day?

6 MR. WILSON: Mr. Commissioner, I thought
7 I would enquire as to whether or not this
8 witness should sit.

9 THE COMMISSIONER: He is doing very well.

10 THE WITNESS: I just want a glass of
11 water.

12 MR. HOGG: Q. Would it be \$20 a day?

13 A. Approximately. The expenses,
14 total, would be \$20 a day, I would say.

15 Q. Would it be \$30 a day?

16 A. No, sir.

17 Q. Who did you go down with?

18 THE COMMISSIONER: When?

19 MR. HOGG: On the last trip two years
20 ago, Mr. Commissioner.

21 THE WITNESS: I drove down with another
22 party.

23 MR. HOGG: Q. Who?

24 A. Mrs. Miller.

25 Q. Mrs. Miller. What is her first
26 name?

27 A. Joyce.

28 Q. Joyce. You went out on the town
29 quite a bit. You weren't cooking your own meals?

30 A. No, I wouldn't say that, no.

Q. So it would be another \$20 a day



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1 for food and entertaining, at least? Right?

2 A. Possibly.

3 Q. So we are up to about \$40 a

4 day. What part of Florida did you stay in?

5 A. In the beach.

6 Q. What do you mean "the beach"?

7 A. Miami.

8 Q. Miami Beach. Did you leave Miami
9 Beach at any time?

10 A. No, sir.

11 Q. You stayed there the whole four
12 weeks?

13 A. Yes, sir.

14 Q. Now, the year before. I will
15 be coming back to the second year trip again.
16 But the year before you drove down, did you?

17 A. Yes, sir.

18 Q. Who did you drive down with?

19 A. Myself.

20 Q. Anyone else?

21 A. No, sir.

22 Q. Where did you stay?

23 A. Fort Lauderdale.

24 Q. How long did you stay there?

25 A. Three weeks.

26 Q. At a hotel?

27 A. Motel.

28 Q. A motel. What was the name of
29 the motel?

30 A. I believe it was the Bahama.





1

Q. Bahama?

2

A. I believe.

3

Q. Motel. Located in Fort Lauderdale?

4

A. Right.

5

Q. And how much did it cost you a

6

day there?

7

A. Approximately about the same.

8

Q. \$20?

9

A. Yes.

10

Q. Did anybody stay with you?

11

A. Yes, sir.

12

Q. Who?

13

A. My family.

14

THE COMMISSIONER: Q. How many in the

15

family?

16

A. My wife and daughter.

17

MR. HOGG: Q. And again, it would cost

18

you at least another \$20 a day for food and

19

so forth? Right?

20

A. You could say so. I don't know.

21

Q. \$40 a day. For how long, witness?

22

A. Three weeks.

23

Q. That is three years ago. Now,

24

the year before that, did you go down to

25

Florida?

26

A. I don't believe so.

27

Q. Did you go any other place south

28

of the border?

29

A. No, sir.

30

Q. Did you go down to the Caribbean?



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- 1 A. No, sir.
- 2 Q. When were you last down in the
- 3 Caribbean?
- 4 A. You mean south of Florida?
- 5 Q. Any place.
- 6 A. I have never been down any place
- 7 but Florida. Miami.
- 8 Q. Never been any other place, witness?
- 9 A. No, sir.
- 10 Q. Quite sure?
- 11 A. Positive.
- 12 Q. What about Bermuda?
- 13 A. Never been in Bermuda.
- 14 Q. Now, apparently, we have skipped
- 15 a year. Were you down in Florida the year
- 16 before that?
- 17 A. The year before what?
- 18 Q. Five years ago?
- 19 THE COMMISSIONER: Are we back to 1957?
- 20 MR. HOGG: Q. 1957. That is the year
- 21 of the transfer of the charter.
- 22 A. I can't recollect. I was down
- 23 maybe twice, three times in the previous five
- 24 years, but I don't recall being down -- I can't
- 25 pinpoint.
- 26 Q. Three or four times in the past
- 27 five years?
- 28 A. No, sir.
- 29 Q. Two or three?
- 30 A. Possibly three times in the last



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1 five years, and maybe twice before that.

2 Q. Now, you have been ten years
3 with Joseph Price Sales, or over ten years;
4 is that right?

5 A. Yes, sir.

6 Q. How many times have you been down
7 to Florida since 1950?

8 A. Approximately five times I would
9 say, roughly.

10 Q. Almost every other year?

11 A. That would be fair.

12 Q. Staying there for three or four
13 or five weeks?

14 A. Mostly three weeks. The majority
15 of trips were three weeks.

16 Q. Did you drive down every time
17 or did you ever fly down?

18 A. I never flew down, but I went down
19 on the train twice.

20 Q. Did you ever meet Feeley or
21 McDermott down in Florida?

22 A. No, sir.

23 Q. Or Midgely?

24 A. No, sir.

25 Q. Now, you told us that you had a
26 25 per cent interest in the Selby Hotel, at
27 one point?

28 A. That is correct.

29 Q. And Midgely had a 25 per cent?

30 A. Yes, sir.



THE SECRETARY OF THE ARMY

WASHINGTON, D. C.

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1 Q. Who had the other 50 per cent?

2 A. There were two other parties.

3 Mr. Hyndman and Mr. Johnson.

4 Q. That is Jackie Hyndman?

5 A. John Hyndman.

6 Q. John Hyndman?

7 A. Yes, sir.

8 THE COMMISSIONER: Q. How do you spell
9 that?

10 A. H-y-n-d-m-a-n.

11 Q. Who was the other man?

12 A. Mr. Midgley and Mr. Johnson.

13 Q. What was Johnson's first name?

14 A. Lyle.

15 Q. Lyle?

16 A. L. Johnson, L-y-l-e.

17 Q. L. Johnson?

18 A. Yes.

19 MR. HOGG: Q. Who was Johnnie Hyndman?

20 A. He is the present owner of the
21 hotel.

22 THE COMMISSIONER: Q. Well, apart from
23 that?

24 A. He is a friend, just a friend,
25 that is all.

26 MR. HOGG: Q. What was his connection
27 with the Alpha Male Club?

28 A. He had no connection whatever, that
29 I knew of.

30 Q. No connection with the Alpha Club?



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1 A. No, sir.

2 Q. Was he a member of the Vets Club?

3 A. He was possibly a member.

4 Q. Oh. You would know ---

5 THE COMMISSIONER: Let him answer.

6 THE WITNESS: I have seen him out there.

7 I couldn't swear whether he was a member or
8 not because he was never out there more than two or
9 three ~~xx~~ times, to my knowledge.

10 MR. HOGG: Q. Did you ever go south
11 with Midgeley?

12 A. No, sir.

13 Q. You met him down south, did you?

14 A. Never met him down south, no sir.

15 Q. Do you ever recall having your
16 photograph taken with Midgeley?

17 A. No, sir.

18 Q. You were never in Bermuda or the
19 Bahamas or Jamaica or Nassau?

20 A. No, sir.

21 THE COMMISSIONER: He said that.

22 MR. HOGG: Q. How much did you pay for
23 your 25 per cent interest in the Selby Hotel?

24 A. I believe it was \$15,000,
25 approximately.

26 Q. I am sorry?

27 A. I believe it was \$15,000,
28 approximately.

29 Q. What did you sell it for?

30 A. I sold it a year and a half later



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1 for the same amount.

2 Q. Where did you get the \$15,000
3 from?

4 A. I had accumulated that through
5 the years at that time. Some money from
6 Sto-Pal Tool and Die.

7 Q. You said you were in the sales
8 business, selling potato chips?

9 A. That is one of the lines.

10 Q. What does that work consist of,
11 Mr. Riggs?

12 A. It is a promotion, sales promotion.

13 Q. What do you do?

14 A. Just a good-will sales promoter,
15 go around.

16 Q. Call on people?

17 A. Yes.

18 Q. What type of places do you go to?

19 A. Go to hotels and go to veterans'
20 and unions
21 clubs, and things like that, wherever they
22 might buy chips. Beverage rooms.

23 Q. Would you be in a position to
24 give the Commissioner a list of people you
25 called on in the last two months, in connection
26 with your sales promotion?

27 A. No, I am not.

28 Q. Do you keep a record? Eh?

29 A. No, I don't think I can right
30 at this time.

Q. Did you call on anybody last week?



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A. No, sir.

Q. Or the week before?

A. It is not my job to go around just calling on one particular party or one particular person.

Q. You call on a number, do you?

A. That is correct.

Q. Give us the name of one you called on the week before last?

A. I don't recall calling on anybody.

Q. Or the week before that?

A. Offhand, I can't.

Q. Or recall anybody ^{the week} before that?

You really don't work very hard at that, do you, Mr. Riggs?

A. I work at it, yes.

Q. You don't do anything. What do you do?

A. I gave you an explanation of what I did.

Q. You call on people to promote the sale of potato chips?

A. That is right.

Q. Can you give me the name of somebody you called on last month?

A. No, sir.

Q. Or the month before that?

A. No, sir.

Q. Or the month before that? Or in the last year? Your income doesn't come from



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Mr. Price, does it?

A. Yes, sir.

Q. How are you paid?

A. By cheque.

Q. How often do you get this cheque?

A. Weekly.

Q. Do you have an office? Do you work out of an office?

A. I work out of the plant.

Q. Do you work out of an office? Have you got a desk with a phone on it?

A. No, sir.

Q. Have you got a business card?

A. Yes, sir.

Q. Can I see one?

A. I don't have one on me.

Q. When were these business cards printed?

A. I can't say offhand when they were printed. They were some years back.

Q. Tell me the telephone number of your office?

A. Lennox 2-5711.

Q. Does the card say that?

A. I believe so.

Q. Does it?

A. It did at one time. I don't know. I believe it does, yes.

Q. You believe it does?

A. Yes.



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Q. Would you be in a position to bring one of those cards tomorrow?

A. Yes, sir.

THE COMMISSIONER: Q. You say you are paid weekly?

A. Yes, sir.

Q. How much?

A. Well, my take-home pay is approximately \$100, or a dollar or two short of that.

MR. HOGG: Q. Who signs the cheque?

A. Mr. Price.

THE COMMISSIONER: Q. What do you do to earn it?

A. I just work with him, promoting sales.

Q. I know, but doing what?

A. Well, just seeing people and asking them to buy Price's products. I don't make any special calls. I just go around with anybody, you might see.

Q. How long have you been working in that capacity?

A. Ten years.

Q. Ten years.

(Page 4500 follows)



J. Riggs

4500

Q. Do you have any records or books indicating - - with you?

A. No sir.

Q. Do you have any literature?

A. I don't carry it with me.

Q. Do you carry around samples with you?

A. No sir.

Q. Do you check in at the office, or offices at a certain time every morning?

A. I usually come in there every day.

Q. Do you check in at a certain time every morning?

A. Not necessarily, sir.

THE COMMISSIONER: What - - you do?

A. No sir.

MR. HOGG: Q. Do you check out?

A. No sir.

Q. You spend most of your time in the King Edward, don't you?

A. No sir.

Q. You don't spend a good portion of your time there?

A. I spend an hour or two there at noon hour.

Q. Witness, I am suggesting to you that you spend a good deal more than an hour or two a day at the King Edward; that you are around that hotel and seen in the lobby and



J. Edgar Hoover

1961

1 around by the cafeteria - now what do you - -
2 do you dispute that?

3 A. No I wouldn't.

4 Q. Right. And therefore - - -

5 THE COMMISSIONER: Just a moment.
6 what part of the day?

7 MR. HOGG: Q. That you are there
8 for a good part of the time every day?

9 A. Approximately two hours.

10 Q. I suggest to you three or four
11 hours?

12 A. That is not correct.

13 Q. What do you do in the lobby
14 of the hotel for a couple of hours?

15 A. The purpose I go there for,
16 is for lunch. I am usually there between twelve
17 and one-thirty.

18 Q. But you don't eat in the
19 lobby, do you?

20 A. I go to the cafeteria.

21 Q. You were not seen around the
22 lobby - hanging around there?

23 A. I stand around there.

24 Q. Doing what?

25 A. Nothing in particular, just
26 standing.

27 Q. Taking bets?

28 A. No.

29 Q. Doing what?

30 A. I just stand there and I



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1 might put in an hour in my noon hour there.

2 Q. Are you there in the after-
3 noon?

4 A. I don't make a habit of
5 being there all afternoon, no.

6 Q. Are you ever there in the
7 afternoon?

8 A. I have been there, yes.

9 Q. For an hour or so?

10 A. Yes sir.

11 Q. And you are there sometime
12 in the morning?

13 A. Very seldom.

14 Q. Once or twice a week?

15 A. No, I wouldn't say - - very
16 seldom I am there in there in the morning.

17 Q. What would you define as
18 very seldom?

19 A. No more than once a month.

20 Q. What about in the afternoon?

21 A. We have covered the afternoon -
22 the noon hour.

23 Q. How often on an average,
24 during the course of a week, would you be there.
25 In the afternoon, you would be there for at
26 least an hour?

27 A. Are you talking about
28 recently?

29 Q. I am talking over the past -
30 yes, recently?



1 A. Three or four years?

2 Q. Yes.

3 A. I might have spent an hour
4 there, two or three afternoons a week.

5 Q. Right, and sometimes you
6 may be there two hours?

7 A. Sometimes.

8 Q. Sometimes?

9 A. It is possible.

10 Q. What about in the evening.
11 Do you hang around there in the evening at all?

12 A. No sir.

13 THE COMMISSIONER: What do you do
14 there, apart from eating your noon-day meal?

15 A. Just drop in there. It is
16 more of a bit of meeting place.

17 THE COMMISSIONER: For whom?

18 A. Nobody in particular.

19 THE COMMISSIONER: You must have had
20 some reason for going there. Have you spent
21 any time at the Royal York, for example?

22 A. I have been there - down at
23 the Royal York.

24 THE COMMISSIONER: I say, have you
25 spent any time at the Royal York?

26 A. Not too much, no.

27 THE COMMISSIONER: At the Ford Hotel?

28 A. No. I have never been in
29 the Ford.

30 THE COMMISSIONER: You concentrate on



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1 the King Edward, do you?

2 A. Yes.

3 THE COMMISSIONER: Why?

4 A. No particular reason, just
5 because it was - - -

6 MR. HOGG: Q. The Commissioner asked
7 you about the Royal York, but what about other
8 places - one of your other places is the
9 Walker House, and the Prince George, aren't
10 they?

11 A. I don't go to the Walker
12 House.

13 MR. HOGG: Q. Never?

14 A. No.

15 Q. But what about the Prince
16 George, have you been in the Prince George?

17 A. I have been in the Prince
18 George for lunch, yes.

19 Q. I am not talking about
20 lunch, hanging around there for fairly lengthy
21 periods?

22 A. No sir.

23 Q. That is your evidence under
24 oath?

25 A. That I hang around the
26 Prince George for lengthy periods?

27 Q. Yes, defining lengthy periods
28 as an hour?

29 A. I have stayed around there for
30 an hour, yes.



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J. Riggs 4505

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Q. Doing what?

A. I go there for lunch
periodically.

Q. Where does the money come
from to finance trips down to Florida?

A. It comes from gambling.

Q. From gambling?

A. Yes.

Q. From the proceeds of gambling?

A. It comes from gambling.

THE COMMISSIONER: That's what he
means.

MR. HOGG: Q. You did tell the
Commissioner on the last occasion we were
here, on Friday, that you lost money?

A. I said I lost money in one
month, but never wound up with any money in
from gambling.

Q. You must have?

A. Gambling, when you are
gambling, you don't win all the time and you
don't lose all the time. You win two
thousand this month, and you win back nineteen
hundred the next month.

Q. These trips were from profits
of gambling?

A. When I went to Florida, it
was usually after that, that I made some money.

Q. You were on the house side,
you weren't gambling against the house, were you?



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A. I gambled both ways,
beside backing, I bet too.

Q. Did you take bets?

A. Yes sir.

Q. Where?

A. Where do I take them?

Q. Yes?

A. I took bets at the Jordan
House.

Q. Apart from that?

A. The Jordan house. You
mean previous to this?

Q. Previous to today, where
have you taken bets except at the Jordan Club?

A. I have accepted bets.

Q. Where?

A. Telephone, mostly.

Q. Where?

A. Where?

Q. Where?

A. Where - I was taking them
myself on the phone.

Q. Where?

THE COMMISSIONER: Where were you
taking them?

A. Evelyn Avenue.

MR. HOGG: Q. 79 Evelyn?

A. Yes.

Q. You were recording bets there?



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A. That is correct.

Q. Let's deal briefly with the Jordan Club.

THE COMMISSIONER: Just a minute. Evelyn Avenue - what period are you speaking of when you say you have taken bets on the phone at 79 Evelyn?

A. Recently.

THE COMMISSIONER: How recently?

A. In the late fall. A charge of conspiracy is pending in Oshawa before - - -

THE COMMISSIONER: Just a moment now.

Q. How long - when did you start them?

A. I have always been - -

THE COMMISSIONER: Not always. When did you start?

A. As long back as I can remember.

THE COMMISSIONER: Well, the last - the last how many years - ten years?

A. Longer.

THE COMMISSIONER: What was the backing for the bets that you took?

A. I was writing myself.

THE COMMISSIONER: You didn't have anybody associated with you?

A. Oh yes, there was associated, but I was doing the work.



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THE COMMISSIONER: But who was associated with you?

A. Mr. Dan.

THE COMMISSIONER: What was his first name?

A. Reg.

THE COMMISSIONER: For how long was he your associate - before the Jordan Club?

A. From the Jordan Club, not before. The time the Jordan Club closed.

THE COMMISSIONER: What was the nature of your association with Dan?

A. He used to take the bets and I would write them down.

THE COMMISSIONER: Where would he take them?

A. Well, he had a number that they used to call.

THE COMMISSIONER: Who used to call?

A. Customers.

THE COMMISSIONER: Where was the number?

A. I believe it was Jameson Avenue.

THE COMMISSIONER: If I understand the routine, he would be at the Jameson Avenue place, and you would be at Evelyn Avenue?

A. Yes.

THE COMMISSIONER: The Evelyn Avenue address?

A. Yes.



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J. Riggs

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THE COMMISSIONER: And he would take bets out there, would he?

A. Well - - -

THE COMMISSIONER: And talk on the phone then to you?

A. Yes.

THE COMMISSIONER: You were the clearing house, were you, and would pass them on?

A. Yes sir.

MR. MOORE: You were recording back end?

A. Yes sir.

Q. But this was at a later stage, you were telling the Commissioner about.

A. Um, hm.

THE COMMISSIONER: I suggest to you, that you had a number of sheet writers, and you finally ended up writing the sheets yourself, is that right?

THE WITNESS: At this time, could I have a word?

THE COMMISSIONER: Yes.

THE WITNESS: There is a charge - - -

THE COMMISSIONER: I know what you are referring to.

THE WITNESS: This charge is pending - - -

THE COMMISSIONER: Just a moment, now. There is a charge pending against him now, what's



J. Riggs

4510

1 what he is talking about.

2 THE WITNESS: I am just convicting
3 myself when I got up here with the publicity
4 of these details brought out here. Its quite
5 unfair. Its a charge of conspiracy - - -

6 THE COMMISSIONER: Just a moment,
7 now. When is your trial - the conspiracy
8 charge coming up?

9 A. On Wednesday.

10 THE COMMISSIONER: Which Wednesday -
11 next Wednesday?

12 A. Yes. I think it is quite
13 unfair - - -

14 THE COMMISSIONER: Just a moment
15 now. What charge against you is now pending?

16 A. Conspiracy to run a gaming
17 house. The people whose names are concerned -
18 when it is brought in the people are charged
19 with conspiracy - -

20 THE COMMISSIONER: What do you
21 say with respect to that, Mr. Hogg?

22 MR. HOGG: Well - -

23 THE COMMISSIONER: How long has
24 this charge been pending?

25 THE WITNESS: I understand that the
26 Court remanded the last two times.

27 MR. HOGG: When was the charge
28 laid - when were you arrested?

29 A. In the fall.

30 MR. HOGG: Early fall?



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THE WITNESS: No, the late fall.
I believe December the 10th, or 11th.

THE COMMISSIONER: Well, Mr. Hogg.

MR. HOGG: I suppose there are two
aspects to this. The first is the evidence
this man is actually going to give in the
witness box.

THE COMMISSIONER: When?

MR. HOGG: Now, concerns some charge
he faces. The second part of it would concern
the publicity that would be attendant,
perhaps on him testifying here, he might
feel the influence of - - -

THE COMMISSIONER: Of the danger,
Mr. Hogg, I see it.

MR. HOGG: Any jury, now I suppose,
if this matter which is considered important,
I mean by that I suppose if there is some
attendant publicity, that it would be
grounds for this man asking for an adjournment,
but it seems to me we are getting now into
the very gist of what the - -

THE COMMISSIONER: Undoubtedly.
He is entitled to a fair trial. When does
it come on?

A. There is an extreme amount
of - - -

MR. HOGG: Well, we are concerned
with the second aspect I mentioned, that is
the attendant publicity, perhaps this witness



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1 could be examined in camera.

2 THE COMMISSIONER: Are you suggesting
3 that?

4 MR. HOGG: Well, I suggest that
5 this is one possible alternative to the
6 difficulties we are entering into.

7 THE COMMISSIONER: Is it Wednesday
8 of this week that your trial comes on?

9 THE WITNESS: Yes sir.

10 THE COMMISSIONER: Only two days
11 hence.

12 MR. HOGG: I wonder, Mr. Commissioner,
13 whether I could leave this particular aspect
14 for the moment, and deal with some other
15 matters with this witness, and then - -

16 THE COMMISSIONER: We will see
17 what the matters are.

18 THE WITNESS: Actually up to now,
19 I think there has been an extreme amount of
20 damage done to the trial pending, when there
21 are names named, and one of the men is one
22 of the main defendants in the charges down
23 there. The name is linked with mine up
24 to now, two names have been brought into it now
25 already, they are also charged.

26 MR. HOGG: It seems that the
27 difficulties arising - - it would appear that
28 these cases haven't been proceeded with,
29 with perhaps the speed that some of the others
30 have. I am not suggesting that this is done



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1 improperly, but nonetheless it just seems
2 to be a fact. It will be coming up in
3 two days, but the charge being what it is,
4 he may well have the right to elect trial
5 by a higher court. Should they elect - - -

6 THE COMMISSIONER: Are they
7 committed for trial.

8 THE WITNESS: No sir.

9 THE COMMISSIONER: You haven't
10 been committed for trial.

11 THE WITNESS: No.

12 THE COMMISSIONER: There has not
13 been a preliminary hearing.

14 THE WITNESS: No sir.

15 MR. HOGG: My understanding is
16 that the next Grand Jury would not sit -
17 I can't speak for Ontario, but I don't think
18 here, until the sittings in the fall, until
19 September. This is the Metropolitan area,
20 but I can't speak for the area in which this
21 man is charged, and then presuming that there
22 is a true bill, this might not well be tried
23 until late in the fall. If there is an
24 acquittal it would be all right, no doubt,
25 but if there was a conviction, then the
26 matter might be appealed, and it would be
27 three or four years before this matter was
28 terminated.

29 THE COMMISSIONER: I wouldn't be
30 perturbed over it if there was an acquittal.

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1 MR. HOGG: No, it is the conviction,
2 and the case is appealed - - -

3 THE COMMISSIONER: I wouldn't be
4 perturbed over that.

5 MR. HOGG: But in any event, Mr.
6 Commissioner, it is felt that the matter
7 will not come to trial until September or
8 October.

9 THE COMMISSIONER: Yes. I am
10 prepared to postpone this until next week
11 or something, if the matter was going to be
12 disposed of.

13 MR. HOGG: I don't know whether
14 by
15 the witness is objecting, the attendance -
16 whether he is objecting to the fact that he
17 is testifying about matters that he is
18 charged with as such.

19 THE WITNESS: Well I understand
20 that the evidence I am giving can be held
21 against me in the court down there, but I
22 also have to take into consideration that the
23 papers, the write up is in the papers, and
24 that people will be reading the papers, and
25 there is no point in even having a trial
26 down there.

27 THE COMMISSIONER: I wouldn't say
28 that - - -

29 THE WITNESS: If they are reading
30 the evidence I am giving here today.

MR. HOGG: Well first of all I



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J. Wilson

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1 might tell you that what you say here cannot
2 be used against you on the other charge - -

3 THE COMMISSIONER: Don't get into
4 an argument with the witness.

5 MR. BREWIN: Sir, what I am
6 wondering, that if this cross-examination on
7 this aspect is postponed indefinitely to
8 the future, it would seem to me that the
9 Commission and everybody else would be
10 seriously damaged - I don't think that
11 this witness should be asked to expose all
12 these matters just a few days before the
13 trial. I think it would be prejudicial to
14 his trial.

15 THE COMMISSIONER: I think so.

16 MR. BREWIN: And in fairness to him,
17 I don't see what harm can be done, by letting
18 this matter stand for the next week. I have
19 some things I want to cross-examine on - -

20 THE COMMISSIONER: How much later -
21 that is the point.

22 MR. BREWIN: Well, if we wait we
23 will see, I suppose. I have some questions
24 I did want to ask, but they have nothing to
25 do with this.

26 MR. WILSON: I think, Mr. Commissioner,
27 that on Wednesday, a further adjournment will
28 be asked by Mr. Sedgwick, or on behalf of
29 Mr. Sedgwick, who is engaged on another trial,
30 and he will be asking for two weeks adjournment



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1 at that time.

2 THE COMMISSIONER: I have another
3 thought, and I would like to know what
4 counsel thinks of it. Supposing we take
5 that part of the witness' examination in
6 camera.

7 MR. WILSON: Well, I think that
8 may be the solution.

9 MR. HOGG: Yes.

10 MR. BREWIN: I think I expressed to
11 you the unhappiness to see a public inquiry
12 being held in camera, but I won't press
13 any objection.

14 THE COMMISSIONER: Circumstances
15 may make it necessary.

16 MR. BREWIN: I still maintain my
17 unhappiness about a hearing, if it is a
18 public inquiry, being held in camera, because
19 sometimes it turns out it isn't in camera.

20 THE COMMISSIONER: You may stand
21 down for the time being.

22 ---The witness withdraws.

23 THE COMMISSIONER: Have you some
24 other witnesses you can go on with, at the
25 moment, Mr. Wilson?

26 MR. WILSON: Yes, we could carry
27 on with another witness.

28 MR. BREWIN: I suppose that
29 hearing this witness in camera would only
30 relate to the matters connected with the



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1 transaction, some other matters on which he
2 has given evidence, and I see no reason - - -

3 THE COMMISSIONER: That is right.

4 MR. IRWIN: I wanted to ask him about
5 the thousand dollars, and I dare say, it is
6 not anything to do with this trial.

7 THE COMMISSIONER: No, it wasn't.
8 You can ask him that. You can ask him about
9 that.

10 MR. HOGG: Yes, there are a few
11 questions I had on some other matters that I
12 wanted to question on, not in connection perhaps
13 with the charge.

14 THE COMMISSIONER: Could you deal with
15 them now?

16 MR. HOGG: I am in your lordship's
17 hands. There was one matter I was quite
18 keen to ask this witness about at this time.

19 THE COMMISSIONER: I see Mr. Malone
20 in the body of the courtroom, would you come
21 forward, Mr. Malone. You appear for this
22 witness, do you, I take it?

23 MR. MALONE: I am acting for Mr. Pigg, my
24 lord. And as Mr. Wilson advised, Mr.
25 Wilson advised just a moment ago, that Mr.
26 Sedgwick advised me on Thursday, and I have
27 supplied Sergeant Anderson with a letter where
28 he will be requesting a further adjournment
29 for at least two weeks. Now whether we are
30 proceeding by way of preliminary trial or not,



1 I am not in a position to say, because there
2 are six other defendants, beside Riggs.

3 Mr. Sedgwick is acting for Mr. Ridgely.

4 THE COMMISSIONER: The examination
5 of Mr. Riggs on the matter of the thousand
6 dollars, has nothing to do with the charge
7 with which he is charged.

8 MR. MALONE: Nothing at all.
9 He was strictly brought here on that premise,
10 as I understood originally, of course he was
11 at the command of the Commission and I advised
12 him simply to come here and tell the truth,
13 which I believe he did do, and that is the
14 only matter which we considered would be gone
15 into.

16 THE COMMISSIONER: Well, we will have
17 him come back for cross-examination with
18 respect to that thousand dollars.

19 MR. MALONE: Does your lordship
20 wish him to remain today or - - -

21 THE COMMISSIONER: Well, he can. We
22 will move forward with caution.

23 MR. HOGG: Mr. Commissioner, I do
24 want to ask this witness about perhaps the
25 general area in which he has already testified
26 that he acted in, and that is the usual profit.

27 THE COMMISSIONER: Mr. Riggs, will
28 you come forward please.

29 ---Mr. Riggs recalled.
30



1 MR. HOGG: Q. The profits in the
2 betting house, I am going to suggest, is
3 between fourteen and seventeen per cent.
4 I did want to establish this at this time.

5 THE COMMISSIONER: All right. Ask him.

6 MR. HOGG: Q. You have told us that
7 you have been associated, Mr. Riggs, with
8 betting and gaming for a considerable length
9 of time. I suggest to you that the profit
10 in a betting house, taking bets, runs between
11 fourteen and seventeen per cent?

12 A. What kind of betting house
13 would you mean?

14 Q. Well, booking?and

15 A. I think you are a little
16 on the high side, actually, it might be ten
17 or a little less.

18 Q. In some cases, it might be
19 fifteen per cent?

20 A. It all depends on where,
21 and - - -

22 Q. Upwards of ten?

23 A. It all depends on what you
24 are booking, sports or horses or - - -

25 Q. Sports?

26 A. Sports is lower - below ten.

27 Q. Below ten?

28 A. Below ten. Yes, sir. To
29 knowledge
30 ~~anyway~~ it is below ten.



1 Q. Horses would be about twelve?

2 A. No, it all depends on what
3 track is running. Different tracks have
4 different percentages, and ---

5 Q. So actually in the same race
6 tracks, it would be anything as high as fifteen
7 or seventeen percent?

8 A. I believe it would be at
9 Woodbine. I am not sure what the percentage
10 is.

11 Q. I am not talking about
12 Woodbine?

13 A. The same thing.

14 THE COMMISSIONER: Well, the bookie
15 only pays the track odds.

16 A. He pays the same rate as the man
17 at the race track, the percentage. At different
18 tracks, they take certain amounts off.

19 THE COMMISSIONER: Yes, but the
20 overall percentage--

21 A. I would say the overall
22 percentage - I would say the average would be
23 about ten per cent.

24 THE COMMISSIONER: Yes, but the track
25 pays certain odds, and some reductions are made
26 before the odds are determined?

27 A. Yes.

28 THE COMMISSIONER: You don't have
29 to take care of any percentage overhead, like
30 the track does?



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1 A. No, but the percentage which
2 they take off on betting is what I am talking
3 about, is not extensive that come after.

4 THE COMMISSIONER: I am not too
5 familiar with it. Carry on. I have read
6 a little. Counsel have informed themselves
7 more than I have.

8 MR. HOGG: I wonder, Mr. Commissioner,
9 what your ruling - what would your ruling be
10 so far as me questioning this witness about
11 the Vets Club, which I don't think anyone has
12 suggested is a bookmaking establishment.
13 I will have a series of questions about the
14 operation of the Vets Club.

15 THE COMMISSIONER: Well, I will
16 rule on them as you ask them.

17 MR. HOGG: It was gone into, I believe,
18 by Mr. Wilson, and I will try to steer clear
19 of the Jordan Club.
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23 (Page 4520 follows)
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Q. Now, you were first associated with the Vets Club in Cookville when?

A. I can remember the Alpha Club, and the Vets Club charter preceded that out there.

Q. When I am talking about the Vets Club, I am applying that to the Vets Club at Cookville.

A. That is right.

Q. No matter what name that had?

A. That is right.

Q. When did you first become associated with the Club at Cookville?

A. It would be in the early 50's.

Q. 1952?

A. Possibly.

Q. Round there. And you were one of the partners, Mr. Riggs?

A. No, sir.

Q. You were not?

A. No, sir.

Q. Who was in there before you?

A. Mr. McDermott and Mr. Feeley; they were both before me.

Q. When did they get in there?

A. They were in there previous to me; I do not know exactly when they went in.

Q. Two or three years?

A. Possibly.

Q. Four or five years?



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1 A. Possibly; I don't know.

2 Q. You came in about 1952?

3 A. 1952, or maybe a little later
4 than that; or 1953 (the witness made an
5 inaudible remark).

6 Q. And who?

7 A. Mr. Midgely.

8 Q. Mr. Midgely?

9 A. Maybe I am wrong; but that is the
10 same problem again.

11 Q. Why?

12 THE COMMISSIONER: Q. Why?

13 A. Mr. Midgely is one of the
14 defendants.

15 Q. He is not charged in connection
16 with the Vets Club.

17 MR. HOGG: Q. Was there anybody else
18 in there, except McDermott ---

19 A. No.

20 Q. And Feeley, when you came along?

21 A. No, sir.

22 THE COMMISSIONER: Q. Did you not mention
23 you were in there before ---

24 A. At the same time.

25 MR. HOGG: Q. So, McDermott and Feeley
26 had the whole thing?

27 A. I could not answer that.

28 Q. Do you know of anyone else?

29 A. No, sir.

30 Q. You would have known, if there had



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1 been anybody else?

2 A. Not necessarily.

3 THE COMMISSIONER: Q. What about Franz?

4 A. I don't know whether he was
5 the steward out there at that time.

6 MR. HODG: Q. Witness, McVety is just
7 an employee? A flunkie?

8 A. That is correct.

9 Q. Then you and Midgeley - - By the
10 way, who was Ryan? Do you know him?

11 A. I don't know Ryan at all.

12 Q. Never met him?

13 A. I might have met him once, in
14 the last twelve years.

15 Q. What was his first name?

16 A. Jim, I think. Jim Ryan.

17 Q. Jim Ryan?

18 A. I think so.

19 Q. What about Joseph Ryan? Joseph B.?

20 Do you know a Joseph? Do you know a Joseph
21 B. Ryan? There is James Ryan?

22 A. That is what I understood the name
23 was.

24 Q. You do not know his connection,
25 if any, with the club?

26 A. I did not know he had any connection
27 there, whatsoever.

28 Q. Now, we have got to the point
29 where there are four of you there; Feeley,
30 McDermott, Riggs and Midgeley; and at a later



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1 stage, somebody else came in. Is that right?
2 And got a piece of it?

3 THE COMMISSIONER: Is that what?

4 MR. HOOO: Q. Bluestein was there;
5 Maxy Baker had a piece of it?

6 A. I have no knowledge of him having
7 a piece of it.

8 Q. You have no knowledge of him
9 having a piece of it, out there?

10 A. I saw him out there.

11 Q. Yes, he was bag-man for awhile,
12 was he not?

13 A. I don't understand!

14 Q. Who carried the money?

15 A. Not Baker.

16 Q. Who did?

17 A. Not to my knowledge.

18 Q. You say not Baker? Who did?

19 A. Feeley.

20 Q. Feeley?

21 A. Feeley used to look after the
22 money.

23 Q. All the money?

24 A. Yes.

25 Q. When he was away, who looked after
26 it?

27 A. McDermott was usually there, when
28 he was away.

29 Q. When the two of them were away,
30 who looked after it?



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1 A. It all depends; sometimes there
2 was not anything doing out there, when they
3 were away.

4 Q. And sometimes there would be?

5 A. Maybe we would have a fade game,
6 if they were not there.

7 Q. And sometimes there would be a
8 game?

9 A. I recall very seldom having any
10 other kind of game when they were away; only
11 a fade game.

12 THE COMMISSIONER: Q. Why?

13 A. Because Peeley used to look after
14 it, and when there was nobody there, there was
15 nobody organizing.

16 Q. What do you mean by "look after it"?
17 Do you mean, carry the money bag?

18 A. There had to be somebody there
19 to look after the business, and whoever was
20 in with the game, had to pay them if they won,
21 or if they lost; to pay their losses.

22 MR. HOGG: Q. Witness, you described
23 Peeley as the bag-man?

24 A. Yes, I would.

25 Q. Would you?

26 A. Bankroll man.

27 Q. The man who carried the money?

28 A. That is right.

29 Q. You know what I am trying to get
30 at, don't you?





1 A. This is the first time I ever
2 heard the expression, to tell you the truth.

3 Q. You have never heard of that
4 expression before?

5 A. No, sir.

6 Q. Who carried the money to and from
7 the club?

8 A. Feeley.

9 Q. Now, when you and Midgely got a
10 piece of the club, what size of a piece did
11 you have?

12 A. We never had a piece of the club;
13 we never had a piece of the club out there.

14 Q. What did you have?

15 A. Not the club proper.

16 Q. You know what I am talking about.
17 About having a piece of the club; a piece
18 of the profits.

19 A. We gambled out there, yes. We
20 gambled out there, both sides of the table.

21 Q. Witness, first of all you said
22 McDermott and Feeley were the men out there?

23 A. That is correct.

24 Q. And then you said that you and
25 Midgely moved in and there were four. Now,
26 what did you mean by "there were four of us"?

27 A. We were all out there. I used
28 to frequent the place, but I was not a partner
29 out there.

30 Q. So were hundreds of people out there;





1 what did you mean by "there were four of us"?
2 What distinguished you from the rest of the
3 people that went out?

4 A. There was no distinction. We
5 were members, the same as the rest of them.

6 Q. When you told the Commissioner
7 "there were four of us", what did you mean?

8 A. That there was - wait a minute.
9 You said there were four of us out there.

10 THE COMMISSIONER: No ---

11 THE WITNESS: There were more than that.

12 THE COMMISSIONER: Q. No, no, no,
13 witness. You know what we are talking about;
14 McDermott and Feeley and yourself and Midgeley
15 operated the game for the house.

16 A. We operated the game.

17 Q. Yes, that is what Mr. Hogg is
18 talking about.

19 MR. HOGG: Q. Four of you at this
20 point. Is that right? Look, witness:
21 McDermott and Feeley have entered pleas of
22 guilty to running a gaming house out there.

23 A. That is right.

24 Q. So that they obviously had a piece
25 of it; isn't that right? There is no question
26 about that, is there? You have already sworn
27 to that.

28 THE COMMISSIONER: If you are going to
29 ask him a question, give the witness a chance
30 to answer it.



1. The first question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

2. The second question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

3. The third question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

4. The fourth question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

5. The fifth question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

6. The sixth question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

7. The seventh question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

8. The eighth question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

9. The ninth question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.

10. The tenth question is whether the defendant is guilty of the crime charged. The evidence shows that the defendant was present at the scene of the crime and that he was the one who fired the shot which killed the victim. The jury is instructed to find the defendant guilty if they believe the evidence beyond a reasonable doubt.



1 Did I properly state a moment ago, that
2 there were yourself and Midgely and McDermott
3 and Feeley?

4 THE WITNESS: We were out there.

5 THE COMMISSIONER: Q. Together you
6 operated a game?

7 A. We operated the game, yes; when
8 one was a bank game, we helped them operate it.
9 We put in the money with them.

10 Q. That is what I am saying; Feeley,
11 he was in as an accomplice, so to speak. He
12 carried the money and he paid off the bets
13 and he received the bets and so on and so
14 forth. Is that what you mean?

15 A. He was the overseer; he was
16 the one that was the overseer, let us say.

17 MR. HOGG: Q. Now, what percentage
18 would you have of the profits, after you came
19 out with Midgely?

20 A. There was no special profits;
21 at different times we had different partners,
22 and we had larger profits at one time than
23 another.

24 Q. What piece did you have, when
25 you and Midgely first went out there, and there
26 were the four of you. That is the word I
27 want, "piece".

28 A. Do you mean, of the game?

29 Q. What did you mean?

30 A. We had nothing to do whatever with



1. The first of these is the fact that the Government has not yet decided whether it will accept the offer of the United States to purchase the surplus stocks of the Government.

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1 the operation of the club.

2 THE COMMISSIONER: Q. All right.

3 The game.

4 A. All right; as far as the game
5 was concerned, if we went out, and we were
6 both out on the same night, if we took 50
7 per cent of the game we got 50 per cent of
8 the profits. If we took 30 per cent, we
9 got 30 per cent of the profits. If we took
10 10 per cent of the game, we got 10 per cent
11 of the profits.

12 Q. You talked to Feeley from night
13 to night; from time to time?

14 A. Yes, sir.

15 Q. But nobody else got into it,
16 except you and McDermott and Midgeley?

17 A. There were times when others
18 took pieces of the bank.

19 MR. HOGG: Q. Who else took pieces of
20 the bank?

21 A. I do not recall if - I do not
22 recall offhand who that would be.

23 Q. You would have to split with them?

24 A. Feeley used to look after it.
25 I used to do my business with Feeley, if we
26 had a bank game, and I took my 10 per cent with
27 it. We put up \$5,000 or \$3,000 or \$1,000,
28 or whatever it was, and put up the 10 per cent,
29 and that is what I would get, profit or loss,
30 corresponding.



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1 Q. When would a meeting take place,
2 to determine who was going to get what piece
3 on a particular night?

4 A. We had arranged that amongst
5 ourselves, after we got out there.

6 Q. That would be determined on the
7 amount of money that you put up?

8 A. That is right.

9 Q. How much would be put up, in
10 total?

11 A. It varied on different nights.

12 Q. Well, on a good night?

13 A. We might issue \$2,000, and then
14 have to issue \$2,000 more. If you issued
15 \$2,000, and you lost it, you could issue \$2,000
16 more. If you lost that, sometimes we quit.

17 THE COMMISSIONER: Q. Sometimes?

18 A. Sometimes they had a fade game
19 after.

20 MR. HOGG: Q. \$2,000? Are you serious
21 about that?

22 A. You could lose \$2,000; that is
23 the total of \$4,000, sometimes.

24 Q. Are you trying to tell the
25 Commissioner that that is the amount that would
26 be put up, on good nights? Only \$2,000?

27 A. That is all.

28 Q. Now then, Baker or Bluestein
29 arrived on the scene. Is that correct? That
30 is, after you and Midgely were in there?



1. The first part of the report is a general statement of the purpose and scope of the study. It is followed by a brief review of the literature on the subject.

2. The second part of the report is a description of the methods used in the study. This includes a description of the subjects, the materials, and the procedures.

3. The third part of the report is a presentation of the results of the study. This is followed by a discussion of the results and their implications.

4. The fourth part of the report is a conclusion. This is followed by a list of references.

5. The fifth part of the report is an appendix. This contains the raw data and the calculations used in the study.



1 A. Mr. Bluestein came out there a
2 few times. I did not have knowledge of him
3 being a partner out there.

4 Q. He banked the game for awhile,
5 or got a piece of it?

6 A. Not to my knowledge.

7 Q. Are you swearing under oath that
8 to your knowledge he never had a piece of
9 any game?

10 A. He was never active out there, to
11 my knowledge.

12 Q. What did he do?

13 A. I only saw him on the premises
14 three times, in the last twelve years.

15 Q. Your memory is clear about that
16 three times?

17 A. Three or four times in the last
18 twelve years. I don't recall seeing him
19 out there in the last five or six.

20 Q. Those three times were all
21 close together; is that right?

22 A. It would have been over one
23 year, or two.

24 Q. And then he did not come back.
25 Is that right?

26 A. I have not seen him around there
27 for some time.

28 Q. And why did he stay away, Mr. Riggs?

29 A. I have no knowledge of why he
30 stayed away.





1 Q. Was it because ---

2 A. People there -- people out there,
3 they would come out there for a while and
4 frequent the place, and stay away.

5 Q. You are not suggesting he came
6 out to game and roll dice?

7 A. He gambled out there.

8 Q. Did not Papalia, John Papalia,
9 and Zapp, and Gasparini have something to do
10 with Baker, when he went around there?

11 A. Not to my knowledge.

12 Q. Did not they move in?

13 A. Not to my knowledge, they did not.

14 Q. Have you heard anything about
15 that?

16 A. No sir.

17 Q. Have you ever talked about that,
18 Mr. Riggs? Talked about Papalia and Zapp
19 and some other Toronto hoods trying to move in?
20 Did you ever discuss this?

21 A. I don't know who you mean by
22 Zapp.

23 Q. What about Papalia? Do you know
24 who he is?

25 A. I know him through ---

26 THE COMMISSIONER: Q. Through what?

27 A. Through Midgely. If I saw him
28 on the street, I would know him.

29 MR. RIGGS: Q. You have had lunch with
30 him on one occasion?





1 A. I don't remember ever having
2 lunched with him.

3 Q. Do you deny you have sat down
4 and had a meal with him?

5 A. I do not deny it, but I do not
6 recall it.

7 Q. And what about having supper
8 with him?

9 A. I do not recall ever having
10 supper with him.

11 Q. You do not recall that?

12 A. No, sir.

13 Q. Do you recall being in the bar
14 with him, and having a drink with him?

15 A. No sir, I do not.

16 Q. Are you swearing under oath you
17 have never had a drink with him?

18 A. I am swearing that I do not
19 recall ever having a drink with him at any time.

20 Q. Now, did you ever discuss with
21 anyone the fact that Papalia was trying to
22 move in?

23 A. I had no knowledge that Papalia
24 was moving in anywhere.

25 THE COMMISSIONER: Who was trying to
26 move in?

27 MR. HOGG: Papalia.

28 Q. And that was the next question:
29 Did you ever discuss with anyone or talk
30 about the fact that Papalia was trying to move



Q. Now, you're saying that you didn't see any other people in the room?	1
A. Yes, that's correct.	2
Q. And you're saying that you didn't see any other people in the room?	3
A. Yes, that's correct.	4
Q. Now, you're saying that you didn't see any other people in the room?	5
A. Yes, that's correct.	6
Q. Now, you're saying that you didn't see any other people in the room?	7
A. Yes, that's correct.	8
Q. Now, you're saying that you didn't see any other people in the room?	9
A. Yes, that's correct.	10
Q. Now, you're saying that you didn't see any other people in the room?	11
A. Yes, that's correct.	12
Q. Now, you're saying that you didn't see any other people in the room?	13
A. Yes, that's correct.	14
Q. Now, you're saying that you didn't see any other people in the room?	15
A. Yes, that's correct.	16
Q. Now, you're saying that you didn't see any other people in the room?	17
A. Yes, that's correct.	18
Q. Now, you're saying that you didn't see any other people in the room?	19
A. Yes, that's correct.	20
Q. Now, you're saying that you didn't see any other people in the room?	21
A. Yes, that's correct.	22
Q. Now, you're saying that you didn't see any other people in the room?	23
A. Yes, that's correct.	24
Q. Now, you're saying that you didn't see any other people in the room?	25
A. Yes, that's correct.	26
Q. Now, you're saying that you didn't see any other people in the room?	27
A. Yes, that's correct.	28
Q. Now, you're saying that you didn't see any other people in the room?	29
A. Yes, that's correct.	30



1 in?

2 A. I have no knowledge of that, no.
3 I do not recollect that.

4 Q. Are you saying that you never
5 discussed that with anyone?

6 A. I do not recall discussing
7 anything about Paplia moving in anywhere.

8 Q. Did you ever discuss anything
9 about Papalia, in connection with the Cookeville
10 club?

11 A. No, sir.

12 Q. Now, is your answer you did not
13 or you do not recollect?

14 A. I do not recollect ever discussing
15 with anybody, any of the Papalia's ---

16 Q. Might you have, and not remember
17 it?

18 A. There is a possibility, but I
19 do not remember it. I could not say.

20 Q. There is a possibility, though,
21 that you did discuss and you don't remember?

22 A. Very remote; very remote.

23 Q. And then, if there is a
24 possibility you did discuss that, witness, then
25 you had heard something about Paplia going
26 in there?

27 A. I have never heard nothing about
28 him; to the best of my knowledge I never had
29 any discussion about Papalia moving in to
30 that club.



1917

I have no objection to your use of the same.

I am, Sir, very respectfully,
Your obedient servant,

Wm. L. G. [Signature]

Enclosed find two copies of the same.

I am, Sir, very respectfully,
Your obedient servant,

Wm. L. G. [Signature]

I have no objection to your use of the same.

I am, Sir, very respectfully,
Your obedient servant,

Wm. L. G. [Signature]

I have no objection to your use of the same.

I am, Sir, very respectfully,
Your obedient servant,

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1 Q. You never talked about it?

2 A. No, sir.

3 Q. What do you mean when you say
4 you might have talked about it, but you do
5 not recollect it?

6 A. When I say I don't recollect it,
7 that means that I can't remember saying
8 anything to anybody about it; to the best of
9 my knowledge I don't know anything about it,
10 and I never said it to anybody or discussed
11 it with anybody.

12 Q. Are you sure?

13 A. Yes, sir.

14 Q. Were you ever out at that club
15 at the same time Papalis was out there?

16 A. Maybe on one occasion.

17 Q. What was he doing?

18 A. He was playing.

19 Q. He was there on more than one
20 occasion when you were there, was he not?

21 A. As I recollect, he may have been
22 there two or three times.

23 Q. More than two or three times,
24 Mr. Riggs?

25 A. No, sir. He was not a frequenter
26 of the club at all.

27 Q. But you were a frequenter of it;
28 you were out there almost every night?

29 A. I was there, an average of four
30 nights a week I would say.



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Q. Now, did you hear any talk about McDermott and Feeley bringing in a group from Detroit, to deal with Ypapalia?

A. Bringing who in, sir?

THE COMMISSIONER: Anyone from Detroit.

MR. HOGG: Q. Any racketeers from Detroit,

THE COMMISSIONER: Now, now!

MR. HOGG: Q. Well, anyone?

A. No, sir.

Q. You never discussed that with anyone?

A. No, sir.

Q. You are saying you did not discuss it, or have you no recollection?

A. I have no recollection of discussing anything about that.

Q. Might you have discussed it?

THE COMMISSIONER: Well, you are going to get into the same class of answers.

Q. Do you have any knowledge of it?

A. No, sir.

MR. HOGG: Q. Do you know a man called Pancer; P-a-n-c-e-r?

A. Yes.

Q. Joe Pancer?

A. Yes.

Q. Who is Joe Pancer?

A. He is a business man from Toronto here.



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1 Q. What does he do?

2 A. I believe he is running a store
3 on Queen and Spadina; the last I knew of him.

4 Q. You knew him from the old Alpha
5 Club place?

6 A. That is correct.

7 Q. The charter was owned by Razor
8 Sullivan and Joe Pancer?

9 A. I don't have any recollection of
10 who owned the charter.

11 Q. He was out there all the time;
12 is that right?

13 A. He frequented the club, yes.

14 Q. And he had a piece of it?

15 A. He gambled out there.

16 Q. He had a piece of it?

17 A. Years ago.

18 Q. Yes, prior to 1940?

19 A. I beg your pardon?

20 Q. Prior to 1940?

21 A. 1940?

22 Q. When did he have a piece of it?

23 A. I don't know anything about 1940.

24 THE COMMISSIONER: Q. When did he
25 have a piece of the club?

26 A. The Alpha Club, in Cookeville?

27 Q. Yes.

28 MR. HOGG: Q. In Leaside, witness.

29 A. I don't know anything about
30 Leaside.

THE COMMISSIONER: Q. Well, the Alpha Club,



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1 no matter where it was.

2 A. What time? What year?

3 Q. You are being asked the question.

4 When did he have a piece of it?

5 A. I don't understand. I don't
6 know that he ever had a piece of it at any
7 time. You are asking me something I don't
8 know anything about.

9 MR. HOGG: Q. You used to be out there,
10 at the old Alpha Club in Leaside, is that right?

11 A. In 1940?

12 Q. Prior to 1940.

13 THE COMMISSIONER: Q. Leaside. At any
14 time.

15 A. Yes.

16 MR. HOGG: Q. Yes. You worked for
17 Zahoe out there?

18 A. That is correct.

19 Q. You were the stick man?

20 A. That is correct.

21 Q. You ceased that round about 1938?

22 A. I think it was round about 1941.

23 Q. All right. Midgely was out there --

24 A. Round about that time.

25 Q. Midgely was out there?

26 A. That is right.

27 Q. And he was stickman, too?

28 A. Yes.

29 Q. Now, Razer Sullivan and Joe Zancer
30 were out there?



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1 A. That is correct.

2 Q. Razer Sullivan had a piece of it?

3 A. I don't know nothing about that.

4 Q. Did Sullivan and Pancer appear
5 to you to be in charge of it?

6 A. No, they did not.

7 Q. Along with Kahoa?

8 A. No, sir.

9 THE COMMISSIONER: Q. Who did appear
10 to be in charge of it?

11 A. Pancer was - I don't think he
12 was often out there, to tell you the truth.

13 MR. HOGG: Q. You just said he was,
14 did you not?

15 A. He was around there, but I do
16 not think -- I have ~~not~~ seen him out there
17 gambling, but I don't think he took any
18 active part in it at that time.

19 Q. In any event, you knew Pancer
20 pretty well?

21 A. Yes, sir.

22 Q. He is operating a store now
23 in Sturgeon Falls, to your knowledge?

24 A. To my knowledge, the last store
25 he had was on Queen and Spadina.

26 Q. Have you ever been away with
27 Pancer on trips?

28 A. No, sir.

29 Q. Has he ever been at your home?

30 A. I do not recall him ever being



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1 at my house.

2 Q. Did you ever live in Hamilton?

3 A. No, sir.

4 Q. Can you explain why Joe Pancer
5 and John Papalis have the same address in
6 Hamilton: 16 Railway Street?

7 A. I have no explanation for that.

8 THE COMMISSIONER: Q. Do you know
9 whether they have or they have not?

10 A. I don't know if they have, sir.

11 MR. HOGG: I do not think it is ---

12 THE COMMISSIONER: Is there anything
13 else you want to ask this witness?

14 MR. HOGG: There is, but I would be
15 glad for an opportunity to review some of
16 these notes; and I could perhaps shorten the
17 thing up.

18 THE COMMISSIONER: You are thinking of
19 yourself and not me (laughter).

20 MR. HOGG: I am thinking of both of us.

21 ---Short recess.
22

23 THE COMMISSIONER: After discussing the
24 problem that arose this morning, with counsel,
25 I have decided that we will hear the balance
26 of this witness's evidence in camera. Therefore,
27 I will have to ask everyone to retire from
28 the courtroom.

29 You may stay, Mr. Malone; Mr. Malone,
30 you may stay.



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1 ---Whereupon the courtroom was cleared.

2 THE COMMISSIONER: Are you the only
3 officer here? I am talking to the man in
4 uniform.

5 A POLICE OFFICER: No, sir. The other
6 officer is with me.

7 THE COMMISSIONER: I do not want anybody
8 this side of the elevator.

9 THE POLICE OFFICER: Yes, sir.

10 THE COMMISSIONER: There is no objection
11 to Inspector Hatch, and Inspector Graham
12 staying here?

13 MR. HOGG: I have no objection at all.

14 THE COMMISSIONER: Inspector Hatch,
15 you may remain.

16 (To the witness): Does that satisfy
17 you?

18 A. I feel more comfortable now.

19 THE COMMISSIONER: All right. Just
20 for the purpose of the record, I want to say
21 something: The courtroom has now been cleared
22 of everyone except counsel; Mr. Malone, who
23 is solicitor for the witness, and inspectors
24 Graham and Hatch and another police officer
25 at the door, the reason being that there is
26 some charge pending against this witness,
27 and it may be entirely possible that if his
28 evidence was published in the press, that it
29 might prejudice him at his trial.
30



THE HONORABLE THE SECRETARY OF STATE

WASHINGTON, D. C.

DEAR MR. SECRETARY:

SIR,

I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

I am, Sir, very respectfully,
Your obedient servant,

JOHN D. LONG

Secretary of State

Enclosed for you are two copies of a report of the Commission on the Administration of Justice, which was submitted to the President on the 10th inst.

I am, Sir, very respectfully,
Your obedient servant,

JOHN D. LONG

Secretary of State

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Your obedient servant,

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I am, Sir, very respectfully,
Your obedient servant,



1 All right; having cleared the courtroom,
2 Mr. Hogg, you may proceed.

3 MR. HOGG: Q. Mr. Riggs, I would
4 like just to clear one or two things up about
5 your evidence prior to the recess.

6 First of all, when you were employed
7 as a stick man at the Alpha Club, can you
8 tell the Commissioner what you would be paid?

9 A. Yes sir, I can. It was \$15
10 a night.

11 Q. By whom would you be paid, sir?

12 A. Mr. Sullivan.

13 Q. In every case?

14 A. Yes, sir.

15 Q. I understood you to say before
16 that you worked for Kehoe?

17 A. He was up there; he was seldom,
18 though, I might add.

19 Q. Did you ever work as a stick
20 man at Cooksville ---

21 THE COMMISSIONER: Now, this Ryan.
22 What is his first name? I think it is
23 Razor Ryan.

24 MR. HOGG: Razor Sullivan.

25 THE COMMISSIONER: Or Sullivan?

26 A. Yes, sir.

27 MR. HOGG: Q. Who paid you?

28 A. Sullivan.

29 THE COMMISSIONER: Q. Razor Sullivan.
30 What is his first name?



All the following persons are hereby notified that they are to appear before the Commission on the 1st day of June 1907 at 10 o'clock A.M. to give evidence in the case of the State of Texas vs. the Citizens of the County of Dallas.

The following persons are named as witnesses for the State:

1. John A. Smith, of the County of Dallas, State of Texas.

2. James B. Jones, of the County of Dallas, State of Texas.

3. William C. Brown, of the County of Dallas, State of Texas.

4. Robert D. White, of the County of Dallas, State of Texas.

5. Charles E. Black, of the County of Dallas, State of Texas.

6. Frank G. Green, of the County of Dallas, State of Texas.

7. Harry H. Hall, of the County of Dallas, State of Texas.

8. Isaac I. Hill, of the County of Dallas, State of Texas.

9. Jacob J. Hill, of the County of Dallas, State of Texas.

10. John K. Hill, of the County of Dallas, State of Texas.

11. Lewis L. Hill, of the County of Dallas, State of Texas.

12. Martin M. Hill, of the County of Dallas, State of Texas.

13. Nathan N. Hill, of the County of Dallas, State of Texas.

14. Oscar O. Hill, of the County of Dallas, State of Texas.

15. Peter P. Hill, of the County of Dallas, State of Texas.

16. Quincy Q. Hill, of the County of Dallas, State of Texas.

17. Richard R. Hill, of the County of Dallas, State of Texas.

18. Samuel S. Hill, of the County of Dallas, State of Texas.

19. Thomas T. Hill, of the County of Dallas, State of Texas.

20. Uriah U. Hill, of the County of Dallas, State of Texas.

21. Victor V. Hill, of the County of Dallas, State of Texas.

22. Walter W. Hill, of the County of Dallas, State of Texas.

23. Xavier X. Hill, of the County of Dallas, State of Texas.

24. Yancy Y. Hill, of the County of Dallas, State of Texas.

25. Zachary Z. Hill, of the County of Dallas, State of Texas.

26. Aaron A. Hill, of the County of Dallas, State of Texas.

27. Benjamin B. Hill, of the County of Dallas, State of Texas.

28. Charles C. Hill, of the County of Dallas, State of Texas.

29. Daniel D. Hill, of the County of Dallas, State of Texas.

30. Edward E. Hill, of the County of Dallas, State of Texas.

31. Frank F. Hill, of the County of Dallas, State of Texas.

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49. Xavier X. Hill, of the County of Dallas, State of Texas.

50. Yancy Y. Hill, of the County of Dallas, State of Texas.

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99. Victor V. Hill, of the County of Dallas, State of Texas.

100. Walter W. Hill, of the County of Dallas, State of Texas.



1 A. I think it is Ray.

2 MR. HOGG: Q. While you were at the
3 Alpha Club in Leaside, were there ever any
4 police raids on that club?

5 A. No, sir, not when I was there.

6 Q. Did you ever act as the stick
7 man or as a stick man at the Cooksville club?

8 A. No. Well, not in the same
9 category, I might say; as out there, we used
10 to work around the table together, but we did
11 not classify ourselves as stick men.

12 Q. Not as a straight employee.
13 Were there any paid stick men out at the
14 Cooksville club?

15 A. We used -- at the end of the
16 night, we would pay the help out of what we
17 won; if the guys would back the game, they
18 would pay the fellows that helped them. There
19 were two or three fellows that used to hang
20 around.

21 Q. Who were those, sir?

22 A. There was one there; Harry Campbell.
23 Another was a fellow by the name of Papelli.

24 THE COMMISSIONER: Q. Who?

25 A. A fellow by the name of Papelli.

26 Q. What is his first name?

27 A. John.

28 Q. How does he come into this?

29 A. He is from Toronto; and we used
30 to work the game; but myself ---



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1 Q. And no other help? But Campbell
2 and John Papell?

3 A. No, sir.

4 Q. What is Campbell's address?
5 Where did he live?

6 A. He lived in Toronto; but I think
7 he passed away recently. Not too recently.

8 MR. NOGG: Q. Did George ---

9 A. I beg your pardon?

10 Q. Did George Reid work there?

11 A. George Reid, he worked downstairs
12 in the kitchen.

13 Q. Did he take any part in the
14 gambling operations?

15 A. The only part he took, he might
16 have gambled up there.

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1 MR. HOGG: Q. Now, to your knowledge was
2 the Alpha Club charter, the one from Leaside,
3 sold to the group that were operating in
4 Cooksville?

5 A. Not to my knowledge, sir, no.

6 Q. How was it moved out there?

7 A. I have no knowledge of that. It was
8 out there before I went out there.

9 Q. You were associated with it before
10 in Leaside and when you went out to Cooksville
11 it had already been moved out there?

12 A. Yes.

13 THE COMMISSIONER: Q. Were you away for
14 a spell? You did not seem to know much about
15 the circumstances under which it was moved.

16 A. The clubs were all closed down in
17 the early forties and I never heard at all of
18 the Alpha Club again until I heard they were
19 running out at Cooksville, which was maybe
20 twelve years later, and in the intervening
21 twelve years I had no knowledge of where the
22 charter was. I don't think it was active.

23 Q. What happened that all the clubs
24 closed down?

25 A. What happened?

26 Q. Yes. You said all the clubs closed
27 down.

28 A. In 1941. I don't know what happened.

29 Q. Police pressure?

30 A. Police or political, I don't know.



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1 I was probably young then. I was just hanging
2 around. I don't know what the --

3 Q. All right.

4 MR. HOGG: Q. Mr. Riggs, you told the
5 Commissioner on occasions \$2,000 would be put
6 in, initially, to bank the game. That might
7 be your share. Is that right?

8 A. No, sir. No, sir, that wasn't
9 my share. That would be what we would put in
10 together.

11 THE COMMISSIONER: Q. You all chipped in
12 and handed it to Feeley?

13 A. Yes, sir.

14 Q. In cash?

15 A. Well, he would issue the \$2,000 and
16 he would put down percentages and, then, we would
17 at the end of the night either take a profit or
18 pay a loss.

19 Q. He was, sort of, the treasurer for
20 the gang. Is that what you mean?

21 A. That is right, yes.

22 Q. It was all handed over to him in
23 cash?

24 A. Yes, sir.

25 Q. So, then, you would get some cheques
26 during the course of the night?

27 A. Oh, yes, there were cheques involved,
28 back and forth.

29 Q. Cheques for those participating in
30 the game and who had lost and had to pay their



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debts?

A. Yes, sir. Cheques were passed back and forth in both games. If we had a fade game there were lots of cheques passed back and forth.

Q. I am not concerned with the fade game. Where was the banking done?

A. I used to take some of the cheques and Feeley used to take some of the cheques; it all depends. Feeley would take some and I would take some of them some time.

Q. Did you have a bank?

A. Yes.

Q. Did you deposit the cheques?

A. Deposit them or cashed some of them.

Q. Where was your bank?

A. The King Edward.

Q. What was the name of your bank?

A. The Bank of Nova Scotia.

Q. What year are you talking about?

At the Bank of Nova Scotia down at the King Edward Hotel?

A. Yes, sir.

Q. What years are you talking about?

A. Well, it would be -- I have had an account there for fifteen years but I would say any cheques pertaining to any gambling I did might have been -- well, pretty well ever since I have had an account there, put the cheques in and take the money out.



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Q. Current account or savings?

A. Yes, sir, current.

Q. In your name?

A. Yes, sir.

MR. HOOB: Q. Did all the cheques go through your hands, or would some go through Feeley's, to be cashed?

A. Some would go through Feeley's.

Q. Did you deal with the bulk of them?

A. No, I wouldn't say that; no.

Q. Do you know where Feeley took his?

A. No, I don't.

Q. To whom would the cheques be made payable?

A. Most of them were made payable to cash, I believe. And Midgely used to take some cheques, too.

Q. And any one else?

A. Other members would wind up with cheques, occasionally. I can't recollect exactly who would have cheques.

Q. Would George Reid ever take some cheques?

A. He could have. It is possible.

Q. And Cliff Dan -- Reg Dan, I am sorry?

A. Yes, it is possible he might have.

Q. Would you deposit these cheques in your account or would you cash them?

A. I would cash them or deposit them.

Both.



1 Q. Can you recall the greatest number
2 of -- largest amount of cash, roughly speaking,
3 you ever obtained at any one time, that you
4 obtained when you went into the bank with these
5 cheques?

6 A. I wouldn't hazard a guess. It wouldn't
7 be more than a thousand or two.

8 Q. Would it ever be as much as five
9 thousand?

10 A. No, I wouldn't say, not from there;
11 but I wouldn't say that at some time I didn't
12 have.

13 Q. Accumulated?

14 A. Yes.

15 Q. And how often --

16 THE COMMISSIONER: Q. That would be your
17 share of the winnings at that particular time?

18 A. Yes, but not necessarily, no, because
19 somebody might have a cheque and I would have a
20 cheque and if they didn't want to take the
21 cheque home I might take the cash out of my
22 pocket and buy the cheque.

23 MR. ROSS: Q. You would cash cheques
24 yourself?

25 A. Yes, I would cash the cheque.

26 Q. Would I be right in assuming you would
27 not hold these cheques for a period of more than
28 three or four days at the outside? One is
29 always apprehensive of a person stopping payment.

30 A. They were usually deposited within



1 three or four days.

2 Q. And there were occasions, you told us,
3 they would amount into the thousands in that
4 three or four day period?

5 A. They could amount to three or four
6 thousand. Not -- I mean -- They could
7 amount to three or four thousand, maybe five.

8 Q. In a three or four day period?

9 A. Over a period of four days, yes.

10 Q. This was in addition to the money
11 that was made in the form of cash?

12 A. It was never too much cash involved
13 in a big way.

14 THE COMMISSIONER: Q. There have been
15 some pretty big cheques paid by some of those
16 who lost out there in that bankruptcy?

17 A. Most of them would be in the hundreds,
18 I would say.

19 Q. But some were much larger than a
20 thousand dollars, weren't there?

21 A. It is possible but very, very seldom.
22 I don't recollect any large cheques going
23 through.

24 MR. HOGG: Q. Mr. Riggs, did you deal
25 with the same men in the bank on almost every
26 occasion -- that is, in the King Edward?

27 A. No, I wouldn't say that. They
28 used to switch the tellers around quite a bit.

29 Q. And that is the account you showed
30 the Commissioner on Friday?





1 A. Yes.

2 By the way, Mr. Commissioner, I checked over
3 the week-end. You asked me my wife's bank and
4 I made a mistake. It is The Bank of Nova Scotia
5 in the Kingsway. I think I mentioned it to you
6 as The Bank of Montreal.

7 THE COMMISSIONER: All right.

8 MR. HOGG: Q. Was there any percentage
9 limit on the amount that you could put into a
10 bank game?

11 A. No, it was just a mutual agreement
12 between ourselves.

13 Q. What was that, sir?

14 A. The percentage that we took was a
15 mutual agreement between ourselves.

16 THE COMMISSIONER: Q. And it varied from
17 time to time?

18 A. Oh, yes.

19 MR. HOGG: Q. Was there a limit on the
20 amount you could pay in? Was there a twenty-
21 five per cent limit or a fifty per cent limit?

22 A. If I was out there myself some
23 night I might bank the whole thing, if I felt
24 brave enough.

25 Q. Did you have a lawyer, Mr. Riggs,
26 handling your financial affairs? Did you
27 ever leave money in trust with any lawyer or
28 solicitor?

29 A. Not that I recall.

30 Q. Does anybody hold either money or



1 property in trust for you?

2 A. Not that I recollect, no, sir.

3 THE COMMISSIONER: Q. Right now does
4 anybody hold any assets in trust for you?

5 A. No, sir.

6 MR. HOGG: Q. Who was the solicitor who
7 looked after the club at Cooksville? Who did
8 you regard as the club lawyer?

9 A. I believe that -- I believe Mr.
10 Herman was the lawyer. I am not too sure on that,
11 but I believe.

12 Q. Was he out there on occasion?

13 A. Mr. Herman or Mr. Gebirtig, I am not
14 sure.

15 Q. Was Mr. Herman out there on occasion?

16 A. Not to my knowledge.

17 Q. Did you ever attend at his office on
18 club business?

19 A. I was in his office on one occasion,
20 but I forget. It was with regards to a charter
21 of some sort, but I don't recollect the club
22 it concerned.

23 THE COMMISSIONER: Q. Were there other
24 clubs you were interested in besides the Centre
25 Road Club and the Alpha Club?

26 A. And the Jordan.

27 Q. And the Jordan?

28 A. Yes, sir.

29 Q. Was there any others?

30 A. No, sir.



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1 Mr. HOGG: Q. Was it one of those clubs
2 the Commissioner has mentioned?

3 A. Yes, it would be one of those.

4 Q. It might have been the Jordan, the
5 Vets Club or --

6 A. Or the Alpha Club.

7 Q. -- or the Alpha Club?

8 A. Not particularly the Alpha because I
9 didn't -- That was kind of before my time.

10 Q. Mr. Herman was the solicitor for
11 the Jordan Club as well. Is that correct?

12 A. I am not too sure on that, no.

13 Q. What about bad cheques that would
14 be received in the course of an evening, what
15 was done with them?

16 A. Well, if we didn't get paid for them,
17 naturally, whoever was involved with them would
18 have to pay their end of it, or suffer the
19 loss in regards to their percentage out there.

20 Q. What happened to the physical
21 cheque, to whom would it be handed, a bad cheque?

22 A. Usually whoever went out with it
23 in their account -- If I put one in and it
24 came back I would usually wind up with the
25 cheque, one way or the other, or Midgely, or
26 Feeley the same way.

27 THE COMMISSIONER: Q. Did your group have
28 a collector?

29 A. No, sir.

30 Q. No?



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A. That is not correct.

Q. Never sent Papalia out?

A. No, sir. No, sir, not to my knowledge.

MR. HOOB: Q. What about Rhwaby Schwartz?

A. The name seems familiar by the sound of it.

Q. He was rumoured to be a collector in some gaming operations.

A. Not to my knowledge, sir.

THE COMMISSIONER: Q. In what connection did you know him?

A. I just knew him, let us say, as a character around town. I never did any business with him.

Q. What kind of a character?

A. Well, a gambler, and so forth.

MR. HOOB: Q. And a collector?

A. No, sir, not a collector. As far as I knew he never collected.

Q. He did not have that reputation as far as you knew?

A. Well, no, not as far as I know.

THE COMMISSIONER: Q. He is sort of a strong arm man, isn't he?

A. Well, he could be, but he never bothered me.

Q. He never bothered you, but did he ever help you?

A. No, sir. No, sir.

MR. HOOB: Q. I suggest to you, Mr. Riggs,



1 he had the reputation - I am not saying in
2 connection with what - but he had the reputation
3 among everyone as a collector and strong arm man.
4 You did not have to be a gambler to know that?

5 A. He could have.

D/3
6 THE COMMISSIONER: Q. You know him as
7 such, didn't you?

8 A. Well, in a way, yes, but that was
9 his -- .

10 Q. What do you mean "in a way"? Be
11 frank with us, the courtroom is cleared.

12 A. You could classify him as that but
13 I never done anything with him.

14 MR. HOGG: Q. His specialties were a
15 hammer or a bottle?

16 THE COMMISSIONER: Specialties?

17 MR. HOGG: Yes, Mr. Commissioner; hit a
18 man over the head with a hammer or bottle.

19 Q. Isn't that correct, that is what
20 he is rumored? I am not suggesting you sent
21 him out.

22 A. I don't know. I never heard of him
23 hitting anybody.

24 Q. You never heard of him hitting
25 anybody?

26 THE COMMISSIONER: Q. You were going to
27 say something?

28 A. No, sir.

29 MR. HOGG: Q. Mr. Riggs, would not some
30 effort be made to collect on these bad cheques,



1 at least to the extent of a phone call?

2 A. Oh, I wouldn't deny that if they passed
3 a bad cheque, anybody out there, they would be
4 asked for the money.

5 Q. They would be telephoned in the
6 normal way, if you get a bad cheque in any business,
7 and asked to make it good. Is that correct?

8 A. That is right.

9 Q. And I suggest to you, sir, that
10 there was somebody who did most of the phoning.
11 Is that right?

12 A. We didn't have anybody particularly
13 designated for that job, no.

14 Q. But, there were a few people who
15 used to look after the phone calls?

16 A. No, no; that's not right.

17 Q. Who did phone?

18 A. Whoever wound up with the cheque.
19 When the cheque was returned, if they owed money,
20 they were asked to -- to pay the cheque, if it
21 turned out to be no good.

22 Q. Did you ever turn any cheques over
23 to any one else and ask them to see whether
24 they could collect that?

25 A. No, sir.

26 Q. What, finally, would become of the
27 cheques?

28 A. If hope was given up on collecting,
29 sometimes they were destroyed.

30 Q. But sometimes they were kept?



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1 A. They might have laid around for a
2 while.

3 Q. Where would you keep yours?

4 A. I used to keep mine in my pocket.
5 There weren't that many that they had to be kept
6 on file.

7 Q. Have you still got any?

8 A. No, sir.

9 Q. Did you turn them over to any one or
10 did you get rid of them?

11 A. I didn't turn them over to anybody.

12 Q. What happened to them?

13 A. They were probably destroyed.

14 Q. You are not suggesting to the
15 Commissioner, Mr. Riggs, that you had a loss, a
16 net loss on the banking operations at Cookeville?

17 A. No, sir.

18 Q. What would you estimate that in 1957
19 you would have made from the club?

20 A. Well, I would only be hazarding a guess,
21 but I just took it as an overall, general picture,
22 the whole thing.

23 Q. Would it be --

24 A. At the end of the year if I didn't
25 have any more money than when the year started,
26 or any more assets, I would figure I didn't
27 make any money. I never used to keep a file
28 on what I would win or lose.

29 Q. Wouldn't it be well over thirty
30 thousand a year?



1. The first part of the book is devoted to a general

introduction to the subject.

2. The second part of the book is devoted to a

discussion of the various methods of

investigation which have been employed in the

study of the subject.

3. The third part of the book is devoted to a

discussion of the various results which have

been obtained by the various methods of

investigation.

4. The fourth part of the book is devoted to a

discussion of the various applications of the

results which have been obtained.

5. The fifth part of the book is devoted to a

discussion of the various conclusions which

have been reached.

6. The sixth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

7. The seventh part of the book is devoted to a

discussion of the various conclusions which

have been reached.

8. The eighth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

9. The ninth part of the book is devoted to a

discussion of the various conclusions which

have been reached.

10. The tenth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

11. The eleventh part of the book is devoted to a

discussion of the various conclusions which

have been reached.

12. The twelfth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

13. The thirteenth part of the book is devoted to a

discussion of the various conclusions which

have been reached.

14. The fourteenth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

15. The fifteenth part of the book is devoted to a

discussion of the various conclusions which

have been reached.

16. The sixteenth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

17. The seventeenth part of the book is devoted to a

discussion of the various conclusions which

have been reached.

18. The eighteenth part of the book is devoted to a

discussion of the various suggestions which

have been made for further investigation.

19. The nineteenth part of the book is devoted to a

discussion of the various conclusions which

have been reached.

20. The twentieth part of the book is devoted to a

discussion of the various suggestions which



1 A. No, sir, that is not correct.

2 Q. What is your best estimate?

3 A. You mentioned the year 1957?

4 Q. Yes.

5 A. That particular year I might have
6 wound up a loser out there. I have no way of
7 telling if I lost or won.

8 Q. What about 1958?

9 A. I could have showed a profit in 1958
10 and a loss in '59. Maybe three or four thousand
11 dollars, maybe five thousand.

12 Q. On occasion the cheques amount to
13 as much as \$5,000 or \$4,000 in a four day
14 period?

15 A. That doesn't mean to say they were
16 profit, just because they amounted to that. It
17 wasn't necessarily profit.

18 Q. That is your share, you have told
19 the Commissioner?

20 A. But there were losses, too. Just
21 because you wound up with cheques it doesn't
22 mean you had the cash. I could take ten or
23 fifteen thousand dollars of cheques for a
24 month and be the loser at the end of the month.
25 It isn't -- It wasn't the only place to
26 gamble. You had many a loss out there, besides
27 wins.

28 Q. Where did you get the money to pay
29 for your losses, then, if you were losing three
30 or four thousand dollars on occasion?

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1 THE COMMISSIONER: From his wins.

2 Q. That is the answer?

3 A. That is the way I tried to explain it.

4 MR. HOGG: Q. Could you estimate what that
5 club would make in profits in a year?

6 A. I couldn't estimate, no. Some members
7 would make more than others.

8 Q. That club was raided frequently?

9 A. That is correct.

10 Q. And were not instructions issued to
11 the patrons, as to what to do in the event of
12 a raid?

13 A. Yes, sir.

14 Q. And would you tell the Commissioner
15 what those instructions were?

16 A. They were told in case the police
17 came out there, if there was a bank game, to
18 go over and sit down and play cards; and if it
19 was a fade game, well, sometimes we would
20 quit playing, even with a fade game. Sometimes
21 we didn't.

22 Q. Now, there were people who played
23 out there who, because of their position in
24 the community, didn't want to be caught in a
25 police raid. Is that correct?

26 A. Not to my knowledge there wasn't.

27 THE COMMISSIONER: I suppose anybody
28 who played there did not want to be caught
29 by a police raid.

30 MR. HOGG: Q. Did you ever have any prior



1 knowledge of a raid or did anybody suggest to you
2 that a raid might take place?

3 A. No, sir. It wasn't necessary, for
4 one thing.

5 THE COMMISSIONER: Q. Why?

6 A. By the time the police would get in
7 we wouldn't be doing anything that would be
8 illegal.

9 MR. HOGG: Q. What happened to the gambling
10 paraphernalia?

11 A. We only used a pair of dice, that
12 is all.

13 Q. What about the layout cards?

14 A. Well, we used to have a deck of cards
15 we put down to keep track of the numbers.

16 Q. Who would look after them?

17 A. Just an ordinary deck of cards. One
18 of us would.

19 Q. These records Mr. Feeley kept you
20 have told us about, what happened to them?

21 A. Well, he would -- Anything like
22 that he would just put in his pocket, that
23 is all. Whoever had the dice would put the
24 dice in their pocket.

25 Q. Mr. Feeley would be searched when
26 the police arrived, wouldn't he?

27 A. I don't believe so. I don't recall
28 being searched out there when I was out there.

29 Q. If I may turn briefly to the Jordan
30 Club. When you became associated with that



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1 club who was running it, McDermott and Feeley?

2 A. Yes, I would say so. Actually, we
3 went in there about the same time.

4 Q. That is, you and Hildgely?

5 A. Yes.

6 Q. And McDermott and Feeley?

7 A. That is right.

8 Q. Did Barnett Woolsey go in, did he
9 have a place?

10 A. That name doesn't mean anything to me.

11 Q. Or Cliff Dan?

12 A. Cliff Dan was a worker.

13 Q. A worker?

14 A. Yes.

15 Q. What was his function?

16 A. He worked on the phone with McLaughlin.

17 Q. On the phone?

18 A. Yes.

19 Q. I am coming to that in a minute.

20 What about Ryan?

21 A. Never had anything to do with it
22 as far as I know.

23 THE COMMISSIONER: Q. Those who had a
24 financial interest in it were McDermott, Feeley,
25 Hildgely and yourself?

26 A. And McLaughlin.

27 Q. When did McLaughlin come into it?

28 A. He was in from the start.

29 Q. What is his first name?

30 A. Robert.



1 MR. HOGG: Q. You were in the Jordan Club
2 from its inception?

3 A. From the time it moved downtown.

4 Q. Who acquired the charter?

5 A. They had the charter.

6 Q. Who had it?

7 A. McDermott and Feeley. The charter
8 was --

9 Q. How did they acquire it?

10 A. I have no knowledge.

11 THE COMMISSIONER: Q. Moved downtown from
12 where?

13 A. The club was set up down on Adelaide
14 Street.

15 Q. I know.

16 A. Well, it's an old charter. The
17 premises, I believe that was up on Eglinton.
18 The last premises before it moved downtown was
19 on Eglinton at Bathurst.

20 MR. HOGG: Q. It was 300, wasn't it?

21 A. Yes, it was around Bathurst Street.

22 Q. That was a branch of the Jordan
23 Club?

24 A. The downtown branch was taken from
25 there and that was closed up shortly after.

26 Q. Did McDermott and Feeley tell you
27 how they got the charter?

28 A. No, sir.

29 Q. Or how they moved it down?

30 A. No, sir.



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1 Q. Did any one else have an interest in
2 it, other than those people you have told the
3 Commissioner about?

4 A. Well, the workers, they used to get a
5 bonus but they, actually, weren't partners, I
6 wouldn't say.

7 Q. Who were the workers?

8 A. The Commissioner has got their names
9 there. Cliff Dan and --

10 THE COMMISSIONER: Q. Cliff Dan and who
11 else, did you say?

12 A. And Reg Dan.

13 Q. Cliff Dan and Reg Dan?

14 A. Yes.

15 Q. Anybody else?

16 A. No.

17 MR. HOGG: Q. David Downs?

18 A. He was an officer there but he was
19 just a worker. But he never worked around
20 the club.

21 Q. What do you mean by "just a worker,
22 he never worked around the club", did he work
23 outside?

24 A. Yes.

25 Q. Taking bets?

26 A. Yes, sir.

27 THE COMMISSIONER: Q. What was his name?

28 MR. HOGG: Downs.

29 THE COMMISSIONER: What was his first name?

30 MR. HOGG: David Downs.



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1 Q. Where was he stationed or located?

2 A. Well, he wasn't; like, taking the
3 phone calls from the front.

4 Q. Yes. Where was that?

5 A. I don't know where it would be. He
6 worked from a number.

7 Q. I am talking about the physical
8 building, on what street was this?

9 A. Well, they used to change their
10 number. I don't know where it would be.

11 Q. Although there was some gambling
12 there most of the operation at the Jordan Club
13 was that of a betting house?

14 A. They used to take bets there, yes.

15 Q. For a considerable length of time
16 it was a recording book end itself?

17 A. You mean, there were bets recorded
18 in there?

19 Q. Yes.

20 A. No.

21 Q. Never, sir?

22 A. No.

23 THE COMMISSIONER: Q. Witness, tell me
24 frankly, how that thing worked?

25 A. If anybody made a bet they would make
26 the bet in the club. If the member was in the
27 club and wanted to make a bet they would call
28 it to somebody, who would tabulate the bet.

29 Q. They would call it. Joe Doe is
30 in the club and he wants to bet \$10 on a football



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1 game. Who would they pay the money to?

2 A. To the person in the club.

3 Q. Who was that man?

4 A. That was McLaughlin.

5 Q. What would McLaughlin do?

6 A. He would call the bet into the back
7 end.

8 Q. He laid it off some place?

9 A. Yes.

10 Q. Where did he lay it off?

11 A. To the back end.

12 Q. I want to know where the back end is.

13 A. They changed from place to place.

14 Q. Who was the man?

15 A. Reg Dan.

16 Q. And who else?

17 A. And we used to call him Scotty Downs.

18 Q. Scotty Downs. How would McLaughlin

19 in the club know where to reach Reg Dan or

20 Scotty Downs?

21 A. They would call him and give him
22 the number where they were at.

23 Q. Yes. And where did they lay the
24 bet off?

25 A. They would tabulate it; they wouldn't
26 lay it off anywhere.

27 Q. They simply recorded it. Then, Joe
28 Doe won that bet in my illustration, what is the
29 procedure for collecting?

30 A. He can come in the next day, or call,



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1 and McLaughlin would pay him.

2 Q. Who held the \$10 in the first place,
3 McLaughlin?

4 A. Yes, sir.

5 Q. I see. Well, in substance, then,
6 that bet was not laid off?

7 A. Just tabulated.

8 Q. Where were the bets laid off?

9 A. We didn't lay any bets off.

10 Q. You did not lay any bets off at all?

11 A. No.

12 Q. What would be the total amount, on an
13 average, of the bets made at the Jordan Club
14 per day?

15 A. Oh, it's hard to say. Some days
16 there would be more than others.

17 Q. What would be a typical day?

18 A. An average maybe eight hundred, a
19 thousand a day.

20 Q. Who financed that?

21 A. We did.

22 Q. Yes. Who is "we"?

23 A. The names of that --

24 Q. Yourself?

25 A. Yes.

26 Q. Name the rest of them again, just
27 for my benefit?

28 A. Hildely and McLaughlin and McDermott
29 and Feeley.

30 Q. Yes. How were the -- Who fixed



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1 the odds, in the first instance? Joe Doe comes
2 in and wants to put a bet on the Detroit Lions.
3 Who fixed the odds?

4 A. McLaughlin used to look after getting
5 the odds.

6 Q. Where would he get them? He would
7 have to have some knowledge of the odds he gave?

8 A. Yes, sir.

9 Q. How would he get them?

10 A. He would call a spot in Chicago; I
11 think it is some kind of a service down there.

12 Q. In other words, by long distance
13 telephone?

14 A. Yes.

15 Q. Was this wire service that was in the
16 Jordan Club used for any purpose as far as odds
17 is concerned?

18 A. No.

19 Q. Would not the odds change from hour
20 to hour?

21 A. No, sir.

22 Q. Would the odds be the same at 9.00
23 o'clock in the morning as at 12.00 o'clock noon?

24 A. Pretty well.

25 Q. What was the name of this place in
26 Chicago?

27 A. It was the Capland.

28 Q. What was the name of the service?

29 A. That was the name of it, Capland's.

30 Q. Capland's what?



1 A. Capland's Sports Service; something
2 like that.

3 Q. Was that the only place where the
4 odds were obtained?

5 A. Yes, sir.

6 Q. When would McLaughlin ascertain what
7 the odds were?

8 A. Around noon. The noon hour.

9 Q. Around noon hour of the day the game
10 was being played?

11 A. Yes, sir.

12 Q. Was that the only service you had
13 for ascertaining what the odds were?

14 A. Yes, sir.

15 Q. To whom was the telephone call charged?
16 When McLaughlin telephoned the Capland Service
17 in Chicago?

18 A. I couldn't answer that, I don't know
19 where they were charged. I don't know whether
20 they were charged to the club or not; I couldn't
21 say.

22 Q. Was there some sort of a code system
23 between the club and the Capland Service?

24 A. No, sir, it's -- Anybody can call
25 there if they have the number. As far as I
26 know, it is legal down there. The same odds
27 that you would find in the newspaper.

28 Q. Do you find the odds on a football
29 game in the newspaper?

30 A. Yes, sir.



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1 Q. Now, were bets taken from the Jordan
2 Club from outside the city?

3 A. Mostly it was local. Mostly it was
4 the members.

5 Q. Weren't there also bets taken from
6 the city at the Jordan Club, telephoned in?

7 A. It's possible, because the members
8 might call in from anywhere. If they were from
9 New York they might pick up the phone and
10 call in. We didn't take any bets from any
11 strangers, you might say from the other side.

12 Q. Not strangers. There is always
13 the chance a stranger might be caught?

14 A. It's always pretty risky.

15 Q. Without knowledge of who were betting
16 and who were not members of the club?

17 A. That is correct.

18 Q. And some of these persons were outside
19 the City of Toronto, quite some distance removed
20 from Toronto, weren't they?

21 A. They could be, but our business was
22 mostly for the members.

23 Q. That was the big part of your business,
24 I grant you; but a substantial part, also, was
25 from outside the city?

26 A. No, sir.

27 Q. What part of your total business
28 would be from outside the city?

29 A. Less than ten per cent, I would say.

30 Q. What was the connection between the



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1 betting operations in the Jordan Club and Montreal,
2 tell me all about that?

3 A. You mean, -- Well, there would be
4 a bookmaker down in Montreal who might want to
5 call up there to get, maybe, a price off us,
6 or check a pitcher, or something coming through
7 on the ticker.

8 Q. I did not hear you.

9 A. Check a pitcher, like, a baseball
10 game.

11 Q. A baseball pitcher?

12 A. Yes.

13 Q. Why would he do that through you?

14 A. Well, they weren't serviced with
15 tickers.

16 Q. So the ticker in the Jordan Club,
17 that was an advantage you had the man in
18 Montreal didn't?

19 A. That is right.

20 Q. I was thinking of something else
21 in connection with Montreal; wanted you to
22 tell me about. What was the other connection
23 in Montreal?

24 A. I don't know of any connection in
25 Montreal. We didn't have any connection in
26 Montreal.

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J. Riggs

4570

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THE COMMISSIONER: Q. There was people operating in Montreal, the same as you were operating here, and from time from time you were communicating with one another, that is what I am talking about. I want to know what the subject of the communications were?

A. Well, that is what I was saying. They would call up for information from us, and we would call back there in communication with them and check on prices and check information from the ticker.

Q. So that someone in Ottawa, for example, wouldn't get better odds in Montreal than he could get in Toronto?

A. That is correct.

Q. That was the purpose. Now then, what other places operated in conjunction with you in the same way that Montreal did? Take Hamilton for example. Where did they get their odds?

A. We didn't do any business with anybody in Hamilton. I don't know of anybody down there.

Q. Well, there was some connection between the Jordan Club and Rochester, wasn't there?

A. Not to my knowledge.

Q. Not to your knowledge?

A. No sir.

Q. This wire service from



1 Chicago, or the odds service from Chicago,
2 that was a service that was provided all over
3 Ontario, wasn't it? To the people who were
4 operating?

5 A. It was all over North
6 America.

7 Q. I am speaking of Ontario?

8 A. Yes.

9 Q. If you had a wire service,
10 that was a great advantage over the other
11 betting establishments?

12 A. That is correct, yes.

13 Q. Pardon?

14 A. Yes.

15 Q. And that was one good reason
16 why you didn't want the service discontinued?

17 A. That is right, sir.

18 THE COMMISSIONER: All right.

19 MR. HOGG: Q. The Commissioner was
20 asking you, Mr. Riggs, about whether these
21 bets were phoned out to the Jordan Club.
22 Do you know a Sidney Trainster?

23 A. No sir.

24 Q. Am I pronouncing it correctly?
25 Trainster?

26 A. The name doesn't mean
27 anything to me.

28 Q. Well, for a while you had
29 recordings going on back into an apartment
30 on Jameson Avenue, did you not?



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1 A. Not with regards to the
2 Jordan Club.

3 THE COMMISSIONER: Q. Only in
4 regards to what?

5 A. To the Oshawa.

6 MR. HOGG: Q. And that name I
7 mentioned doesn't - - -

8 A. No sir.

9 Q. Who was out at that
10 apartment on Jameson Avenue?

11 A. There was Reg Dan.

12 THE COMMISSIONER: Q. You spent
13 a lot of your time down around the King Edward
14 Hotel for the purpose of picking up these
15 bets?

16 A. No sir, I didn't pick any
17 bets up at all. I may have straightened out
18 a few members.

19 Q. You paid them off?

20 A. I might have met a member
21 over there and saved them a trip to the club.

22 MR. HOGG: Q. I suggest to you, Mr.
23 Riggs, that the total betting on an average
24 would not be one to two thousand, as you
25 indicated to the Commissioner, but would be in
26 the neighbourhood of twenty thousand?

27 A. Well, that is not correct.

28 Q. Have you any knowledge of
29 what it would be?

30 A. I would only be surmising.



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2 I don't know. I didn't keep track of that.
3 I was more interested in the total outcome
4 than in the amount that went in it by the day.

5 THE COMMISSIONER: Q. How much?
6 your time did you spend at the Jordan Club?

7 A. Very little time.

8 Q. Well, how much?

9 A. Maybe an hour in the afternoon.
10 During the evening I might drop in for an hour
11 if there was anything doing.

12 Q. You had two hours lunch at the
13 King Edward and an hour in the afternoon at the
14 Jordan Club. I am just wondering how much of
15 the day you spent - - -

16 A. In business?

17 Q. Selling potato chips. That
18 was just sort of a sham, wasn't it, to be
19 quite frank?

20 A. No, it wasn't.

21 Q. What?

22 A. I used to do quite - - -

23 Q. You used to fiddle along with
24 it, but it was just sort of a sham. I use the
25 word "sham". Isn't that a fact?

26 A. Well, it was a job.

27 Q. I know, a job in name. You
28 didn't work at it. I expect you to be frank.
29 Isn't that a fact?

30 A. Yes sir.



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I have the honor to acknowledge the receipt of your letter of the 1st inst.

in relation to the matter of the above named case.

and in reply to inform you that the same has been forwarded to the proper authorities.

Very respectfully,
Your obedient servant,

Wm. H. Smith, Esq.

City of New York

1876

Enclosed for you are the papers in the above case.

I am, Sir, very respectfully,
Your obedient servant,

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J. Riggs

4574

1 Q. Then do you still swear you
2 got \$100. a week from Price?

3 A. Yes sir.

4 Q. For doing what?

5 A. For working.

6 Q. But you weren't working. You
7 just told us this was just sort of a sham.
8 What was he paying you for?

9 A. For the business I used to
10 bring in. I used to bring in business.

11 Q. Oh, I know. You would bring in
12 perhaps a trifling little bit of business
13 during the course of a month. What was he
14 paying you \$100. a week for?

15 A. For bringing in the business.

16 Q. The business you would bring
17 in probably wouldn't make a profit of \$100 a
18 week; isn't that a fact?

19 A. I wouldn't say that.

20 Q. Well, would you deny it?

21 A. Yes.

22 Q. That the business that you
23 would bring in each week would make a profit
24 of \$100 a week?

25 A. I never used to ~~mk~~ keep track
26 of it.

27 Q. You never used to keep track
28 of it. But you were spending an hour or two
29 at the King Edward Hotel and an hour at the
30 Jordan Club and running around in connection with



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J. Riggs

4575

1 these bets, and up at your home taking bets.
2 There was some reason for getting \$100 a week
3 from Price and it wasn't in connection with the
4 business you were doing? What were you doing?
5 Tell me? I want to know.

6 A. It was in respect of all the
7 customers I turned over to him.

8 Q. Then he lost a lot of money on
9 you, I would suggest, if that is so. And you
10 worked for him for ten years getting \$100 a week.
11 Is that your story?

12 A. Yes sir.

13 Q. Do you expect me to believe
14 that?

15 A. Yes sir.

16 MR. HOGG: Q. Customers, gambling
17 customers?

18 A. Pardon?

19 Q. Were they gambling customers?

20 A. No, I wouldn't say they are
21 gambling customers.

22 THE COMMISSIONER: Q. When you were
23 staying at the Evelyn Street address, taking
24 bets, were you getting \$100 a week from Price?

25 A. No. I only worked there one
26 afternoon that week on Evelyn Avenue. Only
27 there one afternoon.

28 Q. One afternoon per week?

29 A. No sir, just the one day.

30 Q. Pardon?



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J. Riggs

4576

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A. Just in there one day.

Q. You were only taking bets at Evelyn Avenue that one day?

A. That is correct. That is the day the police came in.

Q. Now, Witness. Where did you take them on the other days?

A. That wasn't my job, working in the back there. The reason I was there that day, was because there was an arrest made the previous day.

Q. Where?

A. On Claude Avenue, an apartment on Claude Avenue.

Q. Who was arrested?

A. The girl there.

MR. HOGG: Joyce - - I am sorry, Mr. Commissioner.

THE COMMISSIONER: Q. The police were lucky having caught you on the one and only day you were there?

A. That is correct. I believe they had a wire tapping of some kind or an electrical gadget put on the phone and they found out when the call would be made and came up.

Q. For that day, was Price paying you just the same?

A. I didn't have any hours with



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J. Riggs

4577

1 him to check in and check out.

2 Q. That is a strange arrangement.
3 You would be getting \$100 a week from Price
4 for selling potatoes and you didn't spend any
5 more than half a day, half of every day, if
6 that much, working at it. There was some
7 other connection with Price, wasn't there?

8 A. No sir.

9 Q. None whatever?

10 A. He had nothing to do with the
11 Club.

12 Q. You pledge your oath, there is
13 no other connection with you and Price?

14 A. Yes sir.

15 Q. That resulted in you getting
16 \$100 a week?

17 A. No sir.

18 Q. You do or do not pledge your
19 oath to that effect?

20 A. Yes sir.

21 MR. HOGG: Q. You told the Commissioner
22 you were getting him customers. Can you name
23 one customer?

24 A. Just generally, that is all.
25 Whoever I saw to turn over an account there,
26 I would.

27 Q. But you are unable, as you told
28 us, earlier this morning, to name one?

29 A. Yes sir.

30 THE COMMISSIONER: Q. Now, getting



THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WASHINGTON, D. C.

OFFICE OF THE ASSISTANT SECRETARY

FOR LAND MANAGEMENT

WASHINGTON, D. C.

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1 ask to this Kaplan wire service, Did you
2 pay so much a month for that?

3 A. Yes sir.

4 Q. How much was it?

5 A. I don't recollect what it
6 was. I don't know.

7 Q. You would have some idea what
8 it would cost you?

9 A. It was just a nominal fee,
10 \$15., \$20.

11 Q. For what?

12 A. For a week.

13 Q. Whether you used the service
14 or not?

15 A. Yes sir. I never looked after
16 that. I am not too familiar with it.

17 MR. NOGG: Q. The apartment on Jameson
18 Avenue which was recording bets; is that
19 correct?

20 A. No sir. That was - - they
21 were accepting bets there. Not recording them.

22 Q. Would I be right in the fact
23 that the sheets there would show over \$800,000
24 worth of bets - - \$80,000, I am sorry, in a
25 four day period? These are documents, I
26 understand, that were seized.

27 A. \$80,000 worth of bets?

28 Q. Over a four day period, sir?

29 A. From Jameson?

30 THE COMMISSIONER: Q. Yes.



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6. Die Meteorologie	6
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49. Die Erbkrankheiten	49
50. Die Infektionskrankheiten	50



J. Riggs

4579

1 A. I never used to see the sheets.
2 I don't know what would be there.

3 Q. It wouldn't surprise you if
4 they amounted to that, would it?

5 A. Well, coming and going, it
6 probably could.

7 Q. What do you mean, coming and
8 going? You mean on the average?

9 A. The average.

10 MR. HOGG: Q. This is all coming,
11 Mr. Witness. Right?

12 A. I didn't see the sheets.

13 THE COMMISSIONER: Q. No, but it
14 wouldn't surprise you if they totalled \$80,000?

15 A. There was \$80,000 worth of
16 action on there for a week or so?

17 MR. HOGG: Q. Your days?

18 A. It is possible.

19 Q. With the name "Jordan Club"
20 on the top of them. That wouldn't surprise you?

21 A. That is possible.

22 Q. Now, on the Claude Avenue address,
23 that was - - - -

24 THE COMMISSIONER: Excuse me.

25 Q. How many people would be
26 phoning into the Jameson Avenue number?

27 A. Well, the Jameson Avenue number
28 that was - - - -

29 Q. That is where the bats were
30 recorded?



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1 A. No, that is a different
2 case than the Jordan Club.

3 Q. All right. That is a
4 different case than the Jameson Avenue. How
5 many people would be telephoning bets in there?

6 A. I don't know off hand how
7 many it would be.

8 Q. Roughly?

9 A. Maybe twenty, twenty-five.

10 Q. Well then, Dan was at the
11 Jameson Avenue address?

12 A. Yes sir.

13 Q. He would have to know the
14 names of those who telephoned him, wouldn't he?

15 A. Yes.

16 Q. How were those bets paid off
17 if the better won? Who did the paying?

18 A. Well, Dan would pay in the
19 mornings, sometimes.

20 Q. Who would he pay?

21 A. The customers that called in.

22 Q. Wouldn't he see the customers?

23 A. He would go around to them, yes.
24 It wasn't necessary to be paying and collecting
25 every day. He would go out in the morning.
26 He wouldn't have to be there until twelve o'clock.

27 Q. Would he go and look up the
28 man who got in touch with the fellow downtown
29 and placed the bet at the Jameson Avenue address?
30 How would he recognize the better?



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1 A. They would all be known to
2 him. All the bettors would be known to him.
3 It wouldn't be somebody he didn't know.

4 Q. The man at the corner of
5 Queen and Yonge, for example, and somebody in
6 the City Hall wanted to place a bet. He does
7 it at the corner of Queen and Yonge at the
8 newsstand. The operator of the newsstand
9 telephones it into Jameson Avenue. Now,
10 you would know what the system was. Now, when
11 the man in the City Hall wins a bet, would
12 Dan go to the City Hall and pay him or to the
13 man running the newsstand?

14 A. He would pay whoever called
15 it into him.

16 Q. That is what I am saying.
17 All he had to do was get in touch with the man
18 who telephoned in?

19 A. Notir. Most of the people
20 who telephoned in, it was their own bets. It
21 wouldn't be second-hand to them.

22 Q. But there was a lot of people
23 who just didn't know where the bet would
24 ultimately be placed?

25 A. Most of them were our own
26 private customers and they knew pretty well.

27 Q. Yes. Well now, the King
28 Edward Hotel was a rendezvous, was it not,
29 for paying off these fellows and take the bets
30 downtown?





J. Riggs

4582

1 A. I used to be down there around
2 noon hour.

3 Q. That is one place where they
4 met to settle up the accounts?

5 A. That is right, sir.

6 Q. You were the man who did it?

7 A. On occasion around there I
8 did, yes.

9 MR. HOGG: Q. You would also take bets?

10 A. Not around there, I didn't.
11 There wouldn't be anybody around there.

12 THE COMMISSIONER: Q. Where did you
13 take them?

14 A. I didn't accept any bets.
15 Maybe the odd one, that is all. I wasn't
16 around anywhere to be picking up any bets.

17 MR. HOGG: Q. On Claude Avenue - - -

18 THE COMMISSIONER: Just excuse me.

19 Q. I want to pursue this a bit
20 if you don't mind. \$2,000 --- how much did
21 you say?

22 MR. HOGG: Over \$20,000 in four days,
23 sir.

24 THE COMMISSIONER: Q. Over \$20,000
25 in four days, that is a sizeable operation,
26 isn't it?

27 A. Well, it is \$20,000 a day.

28 Q. All right, \$20,000 a day.

29 Could you and Dan finance that sort of an
30 operation?



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1 A. Well, it appears a lot more
2 than - - a lot bigger than it actually is
3 because one fellow might make ten bets this way
4 and another fellow might make ten bets on the
5 opposite teams and it looks a lot riskier than
6 it actually is.

7 Q. I am asking you, if you
8 and Dan were able to finance that sort of
9 operation?

10 A. And Midgely.

11 Q. And Midgely. The three of
12 you together, pooling your resources, you
13 could finance that sort of operation?

14 A. Yes sir.

15 Q. You didn't have it to lay it off
16 elsewhere?

17 A. No sir.

18 Q. You swear you never laid off
19 a bet elsewhere?

20 A. I never swore I never laid
21 off a bet,

22 Q. Well, where did you lay it
23 off?

24 A. They had to place it / where
25 they laid it off. I don't know where they
26 were.

27 Q. Who is "they"?

28 A. The workers. McLaughlin - -
29 not McLaughlin, but Dan, working in the
30 front end.



1 Q. You know where they laid them
2 off. You weren't that remote from the operation?

3 A. I just knew them by nicknames.

4 Q. All right, now, I want to
5 know who they were. You can stay here a
6 long time until we get it, too. Now, who
7 were they? Where you laid them off?

8 A. Well, I think there was only - -
9 I don't recollect.

10 Q. Oh, now. You know where they
11 were laid off. May I remind you that you
12 are under oath?

13 A. Well, there was another club
14 that we used to - - -

15 Q. I want to know the whole story.
16 I don't want to have to drag it out of you.
17 I want you to be frank about it.

18 A. Some club called the Acme
19 or something.

20 Q. The what?

21 A. Acme.

22 Q. The Acme Club?

23 A. That was the only club we
24 used to do business with that way.

25 Q. There were other places besides
26 the Acme Club where you laid them off.
27 We have done a lot of investigating you know,
28 witness, which, by now, you will appreciate?

29 A. Yes.

30 Q. Now I want to know from you



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1 who they were?

2 A. There was somebody in Montreal
3 by the name of Hymie, I think, we used to do
4 a little business with.

5 Q. Yes, that is a name that rings
6 a bell with me. Keep going, now.

7 A. I am trying to think. I am
8 not too -- there was another party in Montreal
9 that used to go under the name of Gordie, I
10 think.

11 Q. Hymie and Gordie. Yes?

12 A. And that is about all we did
13 business with. That I can recall.

14 Q. There was sort of a two-way
15 service between Montreal and Toronto, then.
16 I suppose when they got overloaded down there,
17 did they lay them off on you?

18 A. We have taken bets off them.

19 Q. You have taken bets off them
20 when their books got out of balance. Well,
21 that was a sort of mutually satisfactory
22 arrangement, so far as you were concerned,
23 wasn't it?

24 A. Yes sir.

25 Q. Were else besides Montreal?

26 A. We didn't do any other business.

27 Q. Just between you and Hymie
28 and Gordie in Montreal?

29 A. Yes.

30 Q. What was Hymie's address in



1 Montreal?

2 A. I don't know, sir.

3 Q. How did you know where to
4 reach him?

5 A. They used to just reach him
6 by phone, that is all.

7 Q. When you had to settle up,
8 where did you send the money?

9 A. He used to come up here and
10 meet us in Toronto.

11 Q. Then, you have met him?

12 A. That is right, sir.

13 Q. What was his name?

14 A. I don't know what his second
15 name was.

16 Q. Who did you make the cheque
17 to?

18 A. It was paid in cash.

19 Q. It was paid in cash. All
20 right. When the tables were reversed and
21 you had to pay him, did you go down there?

22 A. No sir.

23 Q. He always came up here?

24 A. Yes sir.

25 Q. Are you pledging your oath
26 you don't know his full name and address?

27 A. No sir, I don't. All he
28 went by was Hymie. That is all I knew him by.

29 Q. Hymie?

30 A. Yes sir.



J. Riggs

4567

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Q. What about Gordie?

A. That is all I knew him by.

Q. You did very well so far, when you got Rynia and Gordie. Who were the others?

A. That is all, sir.

Q. That is all?

A. Yes sir.

Q. What is the biggest amount that they ever laid off with you?

A. It is usually in denominations of four and five hundred, three hundred. Three, four or five.

Q. What is the biggest amount you ever laid off with them?

A. It would be the same.

THE COMMISSIONER: The same.

MR. HOGG: Q. To go back to this place on Claude Avenue. Joyce Miller was there?

A. Yes sir.

Q. Alias Gersau.

THE COMMISSIONER: Joyce Miller, alias what?

THE WITNESS: I believe that was - - -

MR. HOGG: Gersau, G-e-r-s-a-u.

Q. That was the same Miller that was in Florida?

A. That was the one. That was her single name before she was married.

Q. Yes, and she was writing sheet?



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J. Riggs

4588

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A. Yes sir.

Q. For whom?

A. For us.

Q. The Jordan Club?

A. No sir.

Q. For who?

A. For Hildgely and myself and
Dan.

Q. Did she ever write sheet for
the Jordan Club?

A. No sir.

Q. Would the amount of action
which she took ever be as high as 50,000 a
day?

A. No sir.

Q. Never?

A/ Not to my knowledge.

Q. Forty?

A. No sir.

Q. What would you say?

A. I would say it might be in
the realm of ten, on a busy day.

Q. What about the total action
for the Jordan Club? Here, I suggest, Witness,
it was around at least twenty or \$30,000 a day.
The total action?

A. You mean what would be laid
off and - - -

A. You know what I mean by the
action, don't you?



J. Riggs

4589

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A. I don't think it would run that high.

Q. But it might on a number of days?

A. It could on occasion. It is possible.

Q. And very rarely went below 20,000?

A. That is not correct.

THE COMMISSIONER: Q. What would it be?

A. On a busy day it might reach there at a peak.

Q. How much is that? \$20,000 you mean?

A. Yes sir.

MR. HOGG: Q. Or more?

A. No sir.

Q. You say there was never a day it went higher than 20?

A. Not to my knowledge. It is possible.

THE COMMISSIONER: Q. What is the busiest day in the week?

A. Depends on what the season was. In the baseball season or the football season. The weekends were always the busiest.

MR. HOGG: Q. Let us say there was \$1,000 worth of action, to take an easy figure. What would the club or the operation



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1 make out of that, on profit?

2 A. It is impossible to answer.

3 Q. On an average?

4 A. It is impossible to answer.

5 THE COMMISSIONER: I would think it
6 would be.

7 MR. HOGG: Q. The Jordan Club was
8 only one recording area. What other connections
9 did the Jordan Club have? What other tie-ins
10 as far as the recording of bets were concerned?

11 A. That was the only spot.

12 Q. Then when the Jordan Club
13 went out of business, who carried the action on?

14 A. That is what we were doing,
15 Midgely and myself.

16 Q. Did you ever make any telephone
17 calls to Albany, New York?

18 A. No sir.

19 Q. Or to Rochester?

20 A. No sir.

21 Q. You never phoned Rochester?

22 A. Not to my knowledge, sir, never.

23 Q. Buffalo?

24 A. Might have called to Buffalo,
25 I don't know.

26 Q. From the club?

27 A. No, I don't recall ever
28 calling there from the club.

29 Q. Would you call any places in the
30 states while you were connected with the Jordan



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1 Club?

2 A. No sir.

3 Q. Now, who was writing sheet
4 for you while you were at the Jordan Club?

5 A. I think we have covered that.
6 It was Reg Dan.

7 Q. That is one man.

8 A. And Downs.

9 Q. Downs?

10 A. That is all.

11 Q. Anyone else?

12 A. No sir.

13 Q. You say you were writing sheet
14 one day, were you?

15 A. I wasn't for the Jordan Club.

16 Q. Just the two were writing
17 sheet?

18 A. That is right, and McLaughlin
19 would switch around with him on occasions.

20 Q. Who was Gordon?

21 A. Pardon?

22 Q. Do you know a Gordon?

23 A. No sir. Gordon?

24 Q. Gordon.

25 A. The name don't seem to ring
26 a bell with me.

27 Q. Who operated the Jordan Club
28 branch at 230 Eglinton?

29 A. I don't know who was up there.
30 The only party I know involved up there was



1 McLaughlin, was up there for a while, before
2 he came downtown.

3 Q. What about Joe Dianosi?

4 A. I believe he was from up
5 around there, I don't know.

6 Q. What was he doing?

7 A. I don't know. I wasn't
8 connected with them.

9 Q. Witness, wouldn't you know
10 what was going on at a branch of your club that
11 you were financially interested in?

12 A. You mean after the downtown
13 branch opened?

14 Q. I am talking about up on
15 880 Elliotter. It was a branch of the Jordan
16 Club, wasn't it?

17 A. Yes, it was. Well, it was just
18 a matter of months it was up there.

19 Q. What was going on up there?
20 Will you tell the Commissioner?

21 A. Well, they used to take some
22 bets up there, I believe.

23 Q. And who was recording them up
24 there?

25 A. I don't have any knowledge
26 of what went on up there.

27 Q. Who was taking them up there?
28 This was a branch of your club?

29 A. McLaughlin - - - -

30 THE COMMISSIONER: Let the witness





1 answer and you will do better.

2 THE WITNESS: McLaughlin was working
3 up there until the downtown branch opened up.
4 I don't know if they were overlapping or not.
5 I thought they were. One opened up and the
6 other closed, to my knowledge.

7 MR. HOGG: Q. You had a man on the
8 floor of the Exchange, did you not, taking bets?

9 A. No sir.

10 Q. No? You don't know of Ivor
11 Gordon or Ivan Gordon?

12 A. No sir.

13 Q. Was not somebody taking bets
14 at the Exchange, the Stock Exchange?

15 A. Not to my knowledge.

16 Q. Were any phoned in from there?

17 A. Not to my knowledge, there
18 wasn't.

19 Q. Do you know Arthur Monteith?

20 A. Yes sir.

21 THE COMMISSIONER: Q. Yes sir, what?

22 A. I know him.

23 MR. HOGG: Q. Was he connected with
24 the Jordan Club?

25 A. No, he wasn't.

26 Q. In what connection do you
27 know him?

28 A. I just know him through
29 Davidson.

30 Q. Was he ever up at the Jordan



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1 Club?

2 A. He was up there on occasion,
3 yes.

4 Q. Do you know what - - -

5 A. He was a member up there.

6 Q. Did Joyce Miller work with him?

7 A. She worked in Davidson's.

8 Q. What connection did you have
9 with Davidson and Company?

10 A. I didn't have any connection
11 with them except that I did transact business
12 there.

13 Q. With who?

14 A. With Hedkith.

15 Q. What type of business?

16 A. In stocks.

17 Q. What stocks were you interested
18 in?

19 A. I was interested in quite a
20 few stocks. I just forget them. New Hocks.
21 I haven't done any trading there for the last
22 couple of years.

23 Q. What was the name of the stock
24 you mentioned?

25 A. I think it was New Hocks.
26 There was a g few stocks I traded there.

27 Q. Pardon?

28 A. There was a few stocks in there
29 I traded. I can't recollect the names of them.

30 Q. You can't recollect them now?



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Jan 1		100	100	100
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Apr 1		100	100	400
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Nov 1		100	100	1100
Dec 1		100	100	1200
Total		1200	1200	1200
1901				1300
Jan 1		100	100	1300
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Total		1200	1200	3600
1902				2500
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Jul 1		100	100	3100
Aug 1		100	100	3200
Sep 1		100	100	3300
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Total		1200	1200	4800
1903				3700
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May 1		100	100	4100
Jun 1		100	100	4200
Jul 1		100	100	4300
Aug 1		100	100	4400
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Oct 1		100	100	4600
Nov 1		100	100	4700
Dec 1		100	100	4800
Total		1200	1200	6000



J. Riggs

4595

1 A. No. There may have been
2 a dozen or so.

3 Q. This New Hosko, the trading
4 was suspended by the Exchange, was it not?
5 The stock you mentioned?

6 A. No sir.

7 THE COMMISSIONER: Q. Was Joyce
8 Miller with Davidson and Company?

9 A. Yes sir.

10 Q. In what capacity?

11 A. She worked in the office there.
12 I don't know what capacity she worked.

13 Q. I thought you said she was
14 writing sheet for you and Midgely and Dan?

15 A. That was some time later.

16 Q. That was later?

17 A. Yes.

18 Q. Was she doing that at any
19 time while she was with Davidson and Company?

20 A. No sir.

21 Q. She was at the Claude Avenue
22 address?

23 A. Yes.

24 Q. What number Claude Avenue?

25 A. I don't know what number it was.
26 It was Claude Avenue apartments.

27 THE COMMISSIONER: Well, is there
28 anything further?

29 MR. HOGG: I do have a few more
30 questions, sir.



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J. Riggs

4596

THE COMMISSIONER: We are not
moving very fast.

MR. RIGGS: Pardon?

THE COMMISSIONER: I say, we are
not moving very fast.

All right, two-fifteen.

---Whereupon at 1:08 p.m., adjourned until
2:15 p.m.

(Page 4600 follows)





AA/L/34

---On resuming at 2:30 o'clock p.m.

THE COMMISSIONER: This morning, witness, you were talking about a man, Hyman, in Montreal?

A. Yes, sir.

Q. Do you know Hyman Aberowitz?

A. The name doesn't mean anything.

Q. It doesn't mean anything to you at all?

A. No.

Q. You could identify this man, if you saw a picture?

A. I think so, yes.

THE COMMISSIONER: Any further questions, Mr. Hogg?

MR. HOGG: Mr. Commissioner, first, I did want to suggest that perhaps it might be helpful to have Joseph Price called. That is something Mr. Wilson will be considering. He was the one, I am instructed, who kept the records for dividing the profit of the betting operations in the Jordan Club.

THE WITNESS: Mr. McLaughlin.

THE COMMISSIONER: Mr. Brewin?

MR. BREWIN: I just want to say that there is no particular reason for any of the questions that I would ask this witness, that they should be in camera. It doesn't matter one way or the other.



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1 THE COMMISSIONER: Well, ask him now.

2
3
4
5 EXAMINED BY MR. ERWIN:

6 Q. I just want to ask you, Mr. Riggs,
7 a little more about this package that you
8 handed on to McLaughlin. I think it was
9 McLaughlin that you gave it to?

10 A. Yes, sir.

11 Q. That is the same Robert
12 McLaughlin that we have been talking about?

13 A. Yes.

14 Q. At the Jordan Club?

15 A. Yes.

16 Q. Somebody told me his nickname
17 was "Bobby the Punk". Is that right?

18 A. That's correct, sir.

19 Q. And the package, did you know
20 what was in it?

21 A. Mr. Kehoe mentioned that there
22 was money in it.

23 Q. He didn't say how much money?

24 A. No, sir.

25 Q. There was a thousand dollars -
26 was it a big package then or ---

27 A. It was a bulky envelope.

28 Q. A bulky envelope?

29 A. Yes, sir.
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1 Q. I see, and you were instructed,
2 and it was quite clear, that you were to give
3 that to McDermott or Feeley?

4 A. Well, I recollect the name
5 McDermott.

6 Q. I see, but you were to give it
7 to them?

8 A. Yes, not to ask them any
9 questions, just give it to them.

10 Q. To see that they got it?

11 A. Yes.

12 Q. To see that they got it. And
13 were you then told, or have you since been
14 told, where the money was supposed to have
15 come from?

16 A. Well, I have since read in the
17 paper where it was supposed to have come from.

18 Q. Were you at the time told that?

19 A. Mr. Kehoe mentioned something
20 about Mr. Bartlett's home.

21 Q. Did he mention something about
22 it being -- supposed to have been bribe money
23 or money ---

24 A. Never used the word "bribe", no.

25 Q. Well, used words that would
26 indicate that it was left there as an attempted
27 bribe?

28 A. No, I wouldn't that he did.

29 Q. Did he indicate why you would
30 have to take this aroundabout course back to



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1 McDermott?

2 A. No, he didn't indicate anything
3 towards that aspect of the incident at all.

4 Q. Did they indicate if they knew
5 it came from McDermott?

6 A. Pardon?

7 Q. Did they indicate any doubt as
8 to whether it came from McDermott?

9 A. Mr. Kenoe you are talking about?

10 Q. Yes.

11 A. He never, as I recollect what he
12 said, he didn't mention anything about it
13 being, coming from them.

14 Q. Well, as bribe money - I see -
15 you just took this parcel containing the
16 money and gave it to "Bobby the Punk" and
17 never bothered ag about it again, I take it?

18 A. That's right, sir.

19 Q. You didn't enquire whether it
20 was handed over to McDermott or Feeley?

21 A. I just assumed that he did, but
22 he didn't mention it again to me.

23 Q. You didn't enquire from McDermott
24 or Feeley whether they got the money?

25 A. Never mentioned it, no.

26 THE COMMISSIONER: Q. They didn't
27 enquire whether they were entitled to get the
28 money?

29 A. No, sir. I didn't think it any
30 of my business.



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1 Q. You told McLaughlin to pay it
2 to them?

3 A. Yes. If he came in later that
4 afternoon, my instruction was to see that he
5 got the money.

6 MR. BREWIN: Q. It just didn't occur
7 to you to find out whether the task had been
8 accomplished or overlooked by ---

9 A. Pardon?

10 Q. It didn't occur to you to even
11 enquire whether ---

12 A. I didn't give it too much
13 significance to the incident at the time.

14 Q. Very well.

15 THE COMMISSIONER: Mr. Rose, have you
16 some questions?

17 MR. ROSE: Yes, a few.

18
19
20
21 EXAMINED BY MR. ROSE:

22
23 Q. Mr. Riggs, when you first began
24 giving evidence on Friday, it was, you told
25 the Commissioner that McLaughlin was your
26 partner at the Jordan Club and represented
27 you and you didn't spend much time around there?

28 A. Yes.

29 Q. I believe that you also said
30 McLaughlin and you, between you, had 15 per



1 cent?

2 A. That is correct.

3 Q. When I took you down ---

4 THE COMMISSIONER: Just a moment. All
5 right.

6 MR. ROSE: Q. That you and McLaughlin
7 had, between you, 15 per cent, and McLaughlin
8 represented your interest down there, and I
9 took you down as saying that the other partners
10 had 85 per cent, and that it was rumoured
11 that Feeley and McDermott were partners in
12 that -- do you recall saying that?

13 A. Yes, sir.

14 Q. And then subsequently you said
15 that Feeley and McDermott had had the largest
16 share of the operation of the Jordan Club.
17 Do you recall saying that?

18 A. Yes.

19 Q. And then I took you down today
20 as saying that insofar as the Jordan Club
21 was concerned, there was really five partners
22 in there - yourself - there was McLaughlin
23 there, Midgely, McDermott, there was Feeley?

24 A. Yes, sir. Well, there was -
25 I wouldn't consider anybody being partners -
26 they might be in there for a consideration
27 of any money.

28 Q. You are differentiating between
29 the betting going on there and the operation
30 of the club?





1 A. Yes.

2 Q. And at the same time, you are
3 differentiating with respect to the Cocksville
4 club?

5 A. Yes.

6 Q. Well, when you say it was
7 rumoured that originally when you said it
8 was rumoured that McDermott and Feeley had 85
9 percent, were you referring to the operation
10 of the club, or were you referring to the
11 gambling operation?

12 A. As a club.

13 Q. As a club?

14 A. Yes.

15 Q. Well now, let me ask you about
16 the gambling operations. It was the betting
17 operation. Did you have 15 per cent of that,
18 along with McLaughlin?

19 A. Yes, sir.

20 Q. Who had the other 85 per cent?

21 A. Midgely and Dan had a piece of
22 it, and Joe and Pete, the other part.

23 Q. Now, how much -- when you say
24 Joe and Pete, you are referring to Joseph
25 McDermott and Vincent Feeley?

26 A. Yes.

27 Q. Now what do you say as to what
28 part they had of the gambling operation at the
29 Jordan Club?

30 A. I would say they would have 50



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1 per cent at least.

2 Q. At least 50 per cent. Now did
3 either McDermott or Feeley ever tell you that
4 they had 50 per cent, or any part of the
5 gambling operation at that ---

6 A. They didn't. They could have -
7 they might have had 50 per cent, and they
8 might have gave away 30 per cent - I don't know.

9 Q. Well, to your knowledge, as
10 your personal knowledge, do you know whether
11 they actually had any part of the gambling
12 operation in the Jordan Club?

13 A. I was under the impression that
14 they had.

15 Q. All right, where did you get
16 that impression from?

17 A. From the money, money transactions
18 from McLaughlin.

19 Q. Who had the money transactions
20 with McLaughlin?

21 A. I didn't, McLaughlin did.

22 Q. Well, so far as Feeley and McDermott
23 are concerned, did they have money transactions
24 with McLaughlin?

25 A. I wouldn't say they did have.

26 Q. Well, what I am trying to find
27 out, Mr. Riggs, is exactly why you say Feeley
28 and McDermott had part of the gambling operation
29 in the Jordan Club. You told us that neither
30 one of them ever admitted that to you. Is



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1 that correct?

2 A. Well, that in essence of the words
3 admitting, I guess. I would say that would
4 be right.

5 Q. Did somebody ever tell you that
6 they had part of the gambling operation of
7 the Jordan Club?

8 A. Well, they were partners there.

9 Q. I know, I just want to know how
10 you know.

11 A. Just the same as you know if
12 anybody else was partners, your partner, you
13 have to know - you have to know your partner -
14 if your partner is with you.

15 Q. Did you discuss with them the
16 fact of the partnership?

17 A. It was just a partnership as
18 far as winning and losses went.

19 Q. All right, that may be, but did
20 Feeley or McDermott take down part of the
21 profits, to your own personal knowledge?

22 A. And of the losses?

23 Q. The losses too.

24 A. I would say so.

25 Q. Do you recall any occasion when
26 you have given money for any of the profits?

27 A. I never gave them any, but
28 McLaughlin did at times.

29 Q. Do you recall any occasion, of
30 your own personal knowledge, when they paid



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1 part of the operation gambling losses at the
2 Jordan Club?

3 A. They never paid any - any to me,
4 but they could to McLaughlin.

5 Q. Would it be fair to say then,
6 and correct me if I am wrong, that your
7 information as to whether or not they were
8 partners in the gambling operations of the
9 Jordan Club, came from McLaughlin?

10 A. I would say so.

11 Q. Now is that the only source of
12 your information, or do you know something
13 personally? I mean, of your own knowledge,
14 in discussions with Feeley or McDermott,
15 anything of that nature, that they were partners
16 in this Jordan Club, gambling operations in
17 the Jordan Club?

18 A. I would say they were partners.

19 Q. You would, but you won't say
20 why, except from what McLaughlin may have
21 told you?

22 A. That's right.

23 THE COMMISSIONER: Q. I suppose you
24 talked to them from time to time, didn't you?

25 A. I saw them in there.

26 Q. I suppose you spoke to them
27 from time to time about how things were going?

28 A. That's right.

29 MR. ROSE: Q. And in these conversations
30 from time to time, did you have any discussion



1 with either Feeley or McDermott as to how much
2 they were winning from the gambling operation,
3 and how much they were losing?

4 A. They would usually get all that
5 information from McLaughlin.

6 Q. Did they never mention - did you
7 ever have any discussions with them about it?

8 A. I might have discussed it
9 indirectly.

10 Q. Do you recall any discussions?

11 A. I couldn't pinpoint n_o one episode.

12 Q. You felt they were partners?

13 A. That is right.

14 THE COMMISSIONER: Q. Did you ever talk
15 to them about how the club - how they were
16 getting along?

17 A. Yes.

18 MR. ROSE: Q. Let me ask you again,
19 did either Feeley or McDermott ever say to
20 you, "It looks like" for instance, "that we
21 have lost \$700 this week, and your end of
22 this is so much, and our end is so much", or
23 any conversation similar to that, that you
24 recall?

25 A. We discussed things like that
26 over at times, but I can't recollect any one
27 incident.

28 Q. Were there any discussion wherein
29 you felt that they showed that they ~~xxx~~ were
30 paying part of the losses and taking part of





1 the profits?

2 A. I never had any record.

3 Q. Well, do you recall anything
4 along that --

5 A. Not exactly, no.

6 THE COMMISSIONER: Q. Between you and
7 them, it follows that it was on the basis that
8 they were partners?

9 A. That is correct, sir.

10 Q. They didn't have to come out
11 and tell you that they were partners when
12 the nature of the discussion with them
13 indicated that. Is that what you mean?

14 A. Yes, sir.

15 MR. ROSE: Q. You had the feeling that
16 they were partners?

17 A. That is right.

18 Q. Did you ever hear from McLaughlin
19 that he was the person who had the remainder
20 of the end of that club, in other words that
21 he had the largest share of it, and that
22 you were in it, and that Midgely was in it?

23 A. He never admitted to me that
24 he had the largest share.

25 Q. And do I take from your evidence,
26 and I am just a wee bit confused, do we take
27 it from your evidence that this back end of
28 the Jamieson Avenue, came about after the
29 Jordan Club was closed, or was that before?

30 A. No, that was after.



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Q. After?

A. Yes.

Q. And that was the proposition that was being run by Dan, Midgely and yourself?

A. That's right.

Q. And was Evelyn another back end, with respect to that operation?

A. Yes, sir.

Q. And you are not suggesting that Feeley and McDermott had anything to do with either of those operations?

A. No.

Q. That was certainly between you, Midgely and Dan?

A. That is correct.

Q. Well, would you say that McDermott was around the Jordan Club very often?

A. He was a very frequent visitor there.

Q. But yourself, you weren't in there very often though, were you?

A. Usually I visited there three or four times a week.

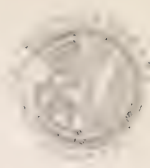
Q. Well then, when you were in there, did you see them there on every occasion when you were there?

A. I wouldn't say every occasion.

Q. You would see them on occasion?

A. Yes, that is correct.

Q. Was he taking any bets in there?





1 A. No, sir.

2 Q. Was he sending out any bets to
3 you, any book end at all?

4 A. No, sir.

5 Q. Or Feeley?

6 A. No, sir.

7 MR. ROSE: All right, thank you.

8 THE COMMISSIONER: Mr. Wilson.

9
10
11
12
13 EXAMINED BY MR. WILSON:

14 Q. When the Jordan Club was operating,
15 from time to time your books were uneven
16 and you had to make lay off bets, isn't that
17 right?

18 A. Yes, sir.

19 Q. You said that you used either
20 the Acme Club, or the two individuals from
21 Montreal that you named as Cordie and Hymie?

22 A. Yes.

23 Q. Now who was operating the Acme
24 Club at that time?

25 A. I don't recall who had it.

26 Q. You don't recall?

27 A. No, sir.

28 Q. And during that time you also
29 had the Caplan service from Chicago, and it
30 was Angel Caplan, wasn't it?



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1 A. Yes, sir.

2 Q. And after Laughlin died, where
3 did that service go? Who was the subscriber
4 after he died?

5 A. I think Dan was.

6 Q. Well, wasn't Dan at his own
7 address, where did it go?

8 A. I believe so. I am not sure.

9 Q. Do you know where it went -
10 do you?

11 A. To his house I believe.

12 Q. Was it his house?

13 A. I believe so.

14 Q. At what address did he live at
15 that time?

16 A. I'm not sure. He moved once.
17 I have been up to his house once, but I don't
18 remember the street.

19 THE COMMISSIONER: Q. Now this service
20 from Angel Caplan in Chicago, did you have
21 to telephone them, or did they send you a
22 sort of daily sheet?

23 A. They would send a daily sheet.

24 Q. They would send a daily sheet.
25 You didn't have to telephone?

26 A. By the week - they would send it
27 every week. They called there every day if
28 they wanted to find out any additional
29 information.

30 Q. They would send it to you weekly?



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1 A. A little pamphlet or schedule.

2 Q. Of what?

3 A. Sporting events for the ensuing
4 week.

5 Q. All over America?

6 A. Yes, mainly the States.

7 Q. If you wanted to know the odds,
8 you had to telephone to get the odds, is that
9 what you mean?

10 A. Yes, sir.

11 MR. WILSON: Q. You said earlier
12 that your brokers two or three years ago was
13 A.B. Davidson and Company?

14 A. Yes.

15 Q. Who is your broker since that time?

16 A. I don't have any.

17 Q. You don't have a broker?

18 A. No, sir.

19 Q. Now you mentioned that you would
20 get cheques from time to time from people who
21 were playing out at the Vets Club in Cocksville?

22 A. Yes.

23 Q. And just as an example, I show
24 you three cheques. The first is December 15th,
25 '55, for \$3,140, signed by J.T. Mullis, payable
26 to Cash and endorsed by J. Riggs. That
27 is your endorsement?

28 A. That is correct, sir.

29 Q. I notice that you deposited it
30 at the Imperial Bank of Canada, Bloor and



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1 Willington, Kingsway, Toronto. Do you
2 have an account there?

3 A. No, sir.

4 Q. What did you do, just cash the
5 cheque?

6 A. Yes, sir.

7 THE COMMISSIONER: What bank is it
8 drawn on?

9 MR. WILSON: It is drawn on the Royal
10 Bank of Canada, King and Church Streets. And
11 that is endorsed by the witness to the order
12 of the Imperial Bank of Canada, Bloor and
13 Willington, and it was paid by the Royal
14 Bank, but at King and Church.

15 THE WITNESS: Yes.

16 MR. WILSON: Q. And you say you just
17 simply cashed it at the Imperial Bank?

18 A. Yes. At this bank, yes.

19 THE COMMISSIONER: Excuse me. Go ahead.

20 MR. WILSON: Q. Who was J.T. Mullis?

21 A. He was one of the players out
22 there, members.

23 Q. John T. Mullis?

24 A. Yes, sir.

25 Q. Was his firm called Climato
26 Engineering Company, was it?

27 A. I don't have knowledge where he
28 was working.

29 Q. And then the next cheque is a
30 cheque dated January 30th, 1956, drawn on the



1 Royal Bank of Canada, King and Church, in
2 favour of J. Riggs, for \$2,900, by Climate
3 Engineering, J.T. Mullis; and is that your
4 endorsement on the back of that cheque?

5 A. Yes, sir.

6 Q. And that cheque was paid into
7 the King and Victoria branch of the Bank of
8 Nova Scotia?

9 A. Yes.

10 Q. That is where you had your account?

11 A. That is correct.

12 Q. And this also represents some
13 losses he had at the club?

14 A. Yes, sir.

15 Q. And the third cheque in this
16 particular group is dated the 29th of August,
17 1956, and is a cheque for \$500, drawn on the
18 Royal Bank of Canada, King and Church Streets,
19 in favour of V. Feeley, by Climate Engineering
20 Company, per J.T. Mullis.

21 A. Yes.

22 Q. It is endorsed "V. Feeley". Is
23 that Vincent Feeley's signature?

24 A. I would say so, yes.

25 Q. And underneath that, it is
26 endorsed J. Riggs?

27 A. That is correct.

28 Q. That is your signature?

29 A. Yes.

30 Q. That was deposited in your bank



Report of the
Committee on the
Administration of the
Department of the Interior

1. The Department of the Interior
has been organized into three
divisions, each of which is
responsible for the management
of the various lands and
resources under its jurisdiction.

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responsible for the management
of the various lands and
resources under its jurisdiction.



1 account at the Bank of Nova Scotia at King
2 and Victoria Streets, Toronto?

3 A. Yes.

4 Q. I don't quite understand how
5 that could be - a group of three cheques -
6 I don't quite understand how you divided up
7 these cheques.

8 THE COMMISSIONER: Wait a minute. We
9 will make a note of these exhibits. The
10 first is for how much?

11 MR. WILSON: The first cheque was for
12 \$3,140. It is dated December 15th, 1955,
13 drawn on the Royal Bank of Canada, King and
14 Church, to cash, and signed by J.T. Mullis.

15 THE COMMISSIONER: How do you spell
16 that?

17 MR. WILSON: M-u-l-l-i-s.

18 THE COMMISSIONER: And that is --

19 MR. WILSON: That is endorsed by J. Riggs.

20 THE COMMISSIONER: Does it give Mr.
21 Riggs' bank account?

22 MR. WILSON: No. He says he cashed that
23 at the Imperial Bank at Bloor and Willingdon,
24 Kingway, Toronto. Bloor and Willingdon.

25 THE COMMISSIONER: Yes.

26 MR. WILSON: The second cheque is
27 dated January 30th, 1956, and it is drawn on
28 the Royal Bank of Canada, King and Church.

29 THE COMMISSIONER: The amount first,
30 please?



THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

WASHINGTON, D. C.

OFFICE OF THE SECRETARY

REPORT OF THE SECRETARY

TO THE HOUSE OF REPRESENTATIVES

AND SENATE

FOR THE YEAR 1900

IN RESPONSE TO A RESOLUTION

PASSED MAY 10, 1899

AND A RESOLUTION

PASSED MAY 10, 1899

AND A RESOLUTION

PASSED MAY 10, 1899

AND A RESOLUTION

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1 MR. WILSON: \$2,900, drawn on the Royal
2 Bank at King and Church Streets in favour of
3 J. Riggs, signed by Climate Engineering
4 Company, J.T. Mullis. That cheque was
5 deposited in the Bank of Nova Scotia at King
6 and Victoria, and bears the endorsement "J.Riggs".

7 THE COMMISSIONER: Yes.

8 MR. WILSON: The third cheque is dated
9 August 29th, 1956, and is for \$500. It is
10 drawn on the Royal Bank, King and Church
11 Streets, payable to V. Feeley, and drawn by
12 the Climate Engineering Company, J.T. Mullis.
13 It is endorsed by V. Feeley and J. Riggs and
14 was deposited in the Bank of Nova Scotia,
15 King and Victoria Streets, Toronto.

16 THE COMMISSIONER: In that order, they
17 will be Exhibits 145-A, B and C.

18
19 ---EXHIBIT NO. 145-A: Cheque dated December 15,
20 1955, \$3,140.

21 ---EXHIBIT NO. 145-B: Cheque dated January 30,
22 1956, \$2,900.

23 ---EXHIBIT NO. 145-C: Cheque dated August 29,
24 1956, \$500.

25 MR. WILSON: Now these two cheques
26 that form part of this last exhibit, were they
27 credited to your account at the Bank of Nova
28 Scotia, or did you simply cash them there?

29 A. I don't recollect, sir.

30 Q. Mrs. Riggs had an account at the



THE UNITED STATES OF AMERICA

DO hereby certify that

the following is a true and correct copy

of the original as the same appears on file

in the Department of the Interior

at Washington, D. C.

THIS 1st day of January, 1900

at Washington, D. C.

JOHN W. FOSTER, Secretary of the Interior

By _____

Special Agent in Charge

of the Bureau of Land Management

in testimony whereof

his hand and the seal of the Department of the Interior

are hereunto set at the City of Washington

this 1st day of January, 1900

JOHN W. FOSTER, Secretary of the Interior

By _____

Special Agent in Charge

of the Bureau of Land Management

in testimony whereof

his hand and the seal of the Department of the Interior

are hereunto set at the City of Washington

this 1st day of January, 1900



1 Imperial Bank, Bloor and Willingdon, did she
2 not, in the Kingway?

3 A. No sir, she didn't, a no, sir.

4 Q. Now I don't quite understand
5 how you divided up these cheques between
6 the various persons who had an interest in
7 the game or in the bank. Did you - or
8 would you - just parcel them out, one man take
9 a cheque for \$500, and another man take cash
10 for \$500. They would reckon up, and one person
11 might take the cheque and another person might
12 take the cash, and whoever took the cheque
13 considered it as cash, and each day you
14 broke it up you either got cash or cheques
15 for a similar amount?

16 A. That's right.

17 Q. In accordance with your interest?

18 A. That 's right.

19 Q. And then all the bad cheques -
20 how were they divided?

21 A. The same proportion.

22 Q. The same proportion to your interest?

23 A. Yes.

24 THE COMMISSIONER: Q. What was your
25 interest? What was your interest, did you say?

26 A. Well, it varied at different
27 times.

28 Q. Well, what was the highest, and
29 what was the lowest?

30 A. I might have taken up to as high



THE HON. THE SECRETARY OF DEFENSE
WASHINGTON, D. C.

TO THE HON. THE SECRETARY OF DEFENSE

FROM THE HON. THE SECRETARY OF DEFENSE

SUBJECT: [Illegible]

RE: [Illegible]

DATE: [Illegible]

BY: [Illegible]

FOR: [Illegible]

THROUGH: [Illegible]

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1 as 30 or 40 per cent some nights, and 10
2 per cent other nights.

3 Q. Well, just a moment. Let us
4 assume that the night Mullis gave you the
5 cheque for \$3,140, if that was the only cheque
6 you got that night, and that was 30 per cent
7 of the profits - the winnings that night, then
8 the total winnings that night would be upwards
9 of \$10,000.

10 A. The cheque was only one - in the
11 night's proceedings - I could have wound up
12 and had a cheque for \$3,000, and still lost
13 money in the night.

14 Q. I don't understand that.

15 A. Well, it is just because Mullis
16 happened to be a player that lost money and
17 somebody else could have won, he could have
18 left, and somebody else may have come in and
19 won. It's not the final outcome - it is
20 not the final outcome of the night's play.
21 That accounts -- that is just one individual
22 player.

23 Q. At the end of the night - at two
24 o'clock in the morning?

25 A. At the end of the night, for
26 example, say we won \$4,000, and I was - there
27 were six partners or say five --

28 Q. Make it simple and make it
29 four partners.

30 A. There were four partners, and say





1 there was \$4,000, it would be a thousand apiece,
2 so I cashed a cheque for, say, \$3,100, and
3 the next night I take out and pay \$2,100,
4 and have about a thousand dollars left.

5 THE COMMISSIONER: Q. Well, I thought
6 you said earlier that you didn't always get
7 cheques, that you would get some, and they
8 would get some.

9 A. I didn't always get them. I
10 was just fitting this as an example.

11 Q. I know. When you ceased
12 for the night, you would have a pile of
13 cheques?

14 A. Not necessarily.

15 Q. Well, a number.

16 A. Some nights we didn't have any
17 at all, some nights we would have some.

18 Q. Some nights you would have cheques?
19 And a pile of money, currency.

20 A. Yes.

21 Q. Well then, cheques and money,
22 and the cheques were taken as cash?

23 A. Yes, sir.

24 Q. So that if your share on this
25 particular night was less than \$3,140, you
26 would probably get the cash and somebody whose
27 percentage was greater than yours, would take
28 the cheque?

29 A. Not necessarily. We didn't have
30 any special arrangement for that.



1 Q. I should think that when you
2 closed your books at the end of the night's
3 operation, and divided up, so that Mr. Feeley
4 would get so much and you would get so much,
5 and the cheques were counted as cash?

6 A. Yes.

7 Q. And if your share was a thousand -
8 was \$5,000 or \$5,140, you would get \$3,140
9 in cheques, and \$2,000 in cash. That is
10 illustrative of the way you do it?

11 A. I don't understand what you mean.

12 Q. Well --

13 A. I don't follow you exactly.

14 Q. Well, at the end of the night's
15 operation, if your share was, say, ~~\$5,000 or \$5,140~~
16 \$5,050, or \$4,140 --

17 A. Hm-hmm.

18 Q. You would get this cheque of
19 \$3,140, and a thousand dollars cash?

20 A. I understand now.

21 Q. All right, and that would be
22 your share of the profits for the night?

23 A. Yes, if it happened that way,
24 that would be possible to do it that way.

25 Q. Well, isn't that the way you
26 ordinarily do it?

27 A. It didn't always work out that
28 way, no. We could - I might ask take out
29 \$2,000 and issue \$2,000 in the game, and wind
30 up with one cheque of \$3,000, and then win a





1 thousand dollars, and somebody wind up with
2 cash. It's put in the game.

3 Q. Oh, I see.

4 A. And the money that is issued
5 has got to be taken into consideration to wind
6 up at the end of the night, but because you
7 have a cheque it doesn't mean to say that
8 that is the profit in the night's playing
9 because you have a cheque for \$3,140, because
10 you can put \$4,000 into the game, and you
11 would be out that night.

12 Q. I see what you mean.

13 A. Which has happened many a night.

14 Q. All right.

15 MR. WILSON: Q. Did you cash in all
16 the cheques, and all the chips every night?

17 A. Yes, sir.

18 Q. Did you?

19 A. Well, unless somebody might
20 have taken a couple in their pocket when they
21 went home, and they would bring them back
22 the next night.

23 Q. But that wasn't the practice
24 that you subscribed to, was it?

25 A. No, the practice was to reckon
26 the chips.

27 Q. And did J.T. Mullis give cheques
28 to the operator of this game in 1955 and 1956,
29 totalling about \$33,000?

30 A. Well, I wouldn't have -- I wouldn't



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1 have the figures on the tips of my fingers.
2 I couldn't say.

3 Q. He couldn't have been a very
4 good player?

5 A. Well, just because he issued
6 cheques doesn't mean he lost that much. I
7 remember Mr. Mullis never used to bring any
8 money to any extent, used to take out in
9 cash, and bring back or issue cheques.

10 Q. Would he pay all the cheques
11 that he issued?

12 A. Pretty well, I believe.

13 Q. Well, his company finally went
14 into bankruptcy, didn't it?

15 A. I believe so, yes.

16 Q. And there are some memorandums
17 here, in ink and in pencil. Would you tell
18 me whose writing that is? Do you recognize
19 any of the names on there?

20 A. No, sir.

21 Q. There appears to be a list of
22 names, with amounts opposite, and the first
23 one is D. Cohen, \$15, and it goes as high
24 as Welch for \$2,500. Who is Welch?

25 A. These names don't strike a
26 bell with me at all.

27 Q. They don't?

28 A. No, sir.

29 Q. I see on the back, it says, "Written
30 off in 1935". Did you have particulars out





1 at the Vets Club of writing off bad debts?

2 A. No, anything that was wrote
3 off, the people that were responsible for
4 it - that would be at the end of that night.

5 MR. WILSON: Well, I would like to
6 file this.

7 THE COMMISSIONER: He hasn't identified
8 it.

9 MR. WILSON: No, he hasn't identified
10 it. But I think I can have it identified
11 later on, and we may want him back.

12 THE COMMISSIONER: That may be a good
13 time to put that in.

14 MR. WILSON: All right. I will show
15 him another one. This is another list of
16 names with amounts, ^{"Chuck"} ~~xxxxxxx~~, \$600, and
17 there follows about eight or ten names, and
18 then totalling \$3,924. written off January
19 21st.

20 THE COMMISSIONER: What year?

21 MR. WILSON: It doesn't give the year.

22 Q. Do you recognize any of those
23 names?

24 A. No, sir.

25 THE COMMISSIONER:

26 Q. Whose handwriting is it?

27 A. I don't recognize the handwriting.

28 MR. WILSON: Q. You don't?

29 A. No, sir.

30 Q. You don't recognize the name

Stanley, \$1,573?



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1 A. No, sir, I don't know who Stanley
2 is.

3 Q. Do the initials B.R. mean
4 anything to you in connection with the operation
5 of the Vets Club?

6 A. No, sir.

7 Q. Where did you keep the list of
8 bad debts out at the Vets Club?

9 A. I never kept a list of them.

10 Q. I know, but who would keep it?

11 A. I don't know who would keep it.
12 I don't know.

13 Q. Would the stewards keep it, one
14 of the partners in the game?

15 A. I just looked after my own
16 bad debts. I didn't look after anybody else's.

17 Q. When you say you only looked
18 after you own bad debts, I understand you to
19 say that there was adjustment between you,
20 so that you all shared the loss on bad debts
21 proportionately?

22 A. We used to take it over, one
23 from the other and so forth, yes.

24 MR. WILSON: I think that is all I
25 want to ask you.

26 Q. Where did you lay off your bets,
27 when you were writing sheets at Evelyn Avenue?

28 A. I didn't lay any bets off. I
29 only worked there the one afternoon.

30 Q. No, but you -- it was operating





1 for considerably more than one afternoon?

2 A. Oh, yes, sir, and ---

3 Q. You had a share in it?

4 A. Yes, sir. We still did business
5 with that Hymie in Montreal.

6 Q. When did that cease operation?

7 A. That Evelyn Avenue?

8 Q. At Evelyn Avenue.

9 A. That afternoon ---

10 Q. When was that?

11 A. It was in - last November.

12 Q. November, 1961?

13 A. Yes.

14 Q. You were still doing business with
15 Hymie on layoff there?

16 A. Up to that time, yes sir.

17 Q. And how often would Hymie come
18 to Toronto, or his representative come to
19 Toronto to make a settlement?

20 A. He used to start off pretty well -
21 it wouldn't be any more than three or four
22 months, and sometimes five months.

23 Q. And then he would come up, and
24 where the settlement take place?

25 A. He used to come up to the
26 Jordan Club, and I was there, and if I was
27 not there, I would see him maybe at the King
28 Edward.

29 MR. WILSON: I think that is all for
30 the moment.



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1 I think, Mr. Commissioner, for the
2 moment that is all for this witness. I
3 may require him later.

4 THE COMMISSIONER: You may be required
5 later.

6
7 ---The witness withdrew.

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12 MR. WILSON: I will call Magistrate
13 Addison now.



THE UNIVERSITY OF TORONTO LIBRARY

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JOSHUA ADDISON, sworn

EXAMINED BY MR. WILSON:

Q. Were you appointed a Magistrate for the Province of Ontario in 1959?

A. January 6th.

Q. In 1960, did you preside over a case involving the prosecution of Bluestein, Binder and Zeldon, on a gaming house charge?

THE COMMISSIONER: Just a moment.

Bluestein, and who else?

MR. WILSON: Binder and Zeldon.

THE COMMISSIONER: On a charge of operating a gaming house?

THE WITNESS: Yes, my lord.

MR. WILSON: Q. There were, I understand, a number of adjournments before the actual trial for that charge?

A. That's right, sir.

Q. And during the application for the adjournments, did Mr. Bluestein speak to the matter on his own behalf?

A. On several occasions, yes.

THE COMMISSIONER: I didn't get the question.

MR. WILSON: Q. On these adjournments, I asked the witness whether or not Bluestein, on his own behalf, had asked for an enlargement.

THE COMMISSIONER: An enlargement asked for?





1 MR. WILSON: Yes, he said that Mr.
2 Bluestein did.

3 THE COMMISSIONER: In order that we will
4 have the names accurately recorded . . .

5 MR. WILSON: The charge was against
6 Max Bluestein, Joseph Zeldon and Samuel Binder.

7 Q. Now on the morning of this case
8 when it was fixed for trial, did you have a
9 telephone call?

10 A. I did, sir.

11 Q. And just tell us about that call.

12 A. Just as I was about to leave
13 for the court, which was at 2696 Eglinton
14 West, the phone rang and I answered it. I
15 would say it was about a quarter after nine
16 and that voice which I recognized as that of
17 Max Bluestein, said, "I just want you to know
18 I'm getting out of the gambling business."

19 THE COMMISSIONER: Don't go too quickly,
20 please.

21 A. "This is Maxie Bluestein, I just
22 want you to know that I'm getting out of the
23 gambling business."

24 Incidentally, just as soon as the
25 conversation was over, I recorded it on this
26 small piece of greenish paper which I still
27 have here.

28 MR. WILSON: You can use that to
29 refresh your memory of what was said.

30 THE COMMISSIONER: Can you give me the



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1 date, Mr. Addison?

2 A. I can't, no sir. It was the
3 date the trial was to begin, the date on
4 which it actually, well, it didn't begin,
5 the reason which will be explained as Mr.
6 Wilson goes on, no doubt.

7 MR. WILSON: Maybe to fix the date, how
8 long was this before the actual trial took
9 place?

10 A. I would say that it was one week
11 or so before the actual trial did take place,
12 for reasons which I presume you will bring
13 out as you proceed.

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18 (Page 4635 follows)
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1. The first thing I noticed

2. I was in a room that I had never

3. before. The room was very large and

4. the ceiling was very high. I was

5. standing in the middle of the room

6. and I was looking at the walls.

7. The walls were covered in

8. pictures of people and things that

9. I had never seen before.

10. I was very curious about the

11. pictures and I wanted to know

12. what they were all about. I

13. was very interested in the

14. pictures of the people and



B/AS/1

1 Q. I think the actual trial took place
2 on August the 31st, 1960. There was a hearing
3 on August the 29th of short duration, where
4 there was a discussion or an argument in regard
5 to the search warrant, but the actual trial
6 commenced on August the 31st, 1960?

7 A. With your permission, sir, and if
8 I should deviate, you stop me.

9 What transpired, was that on the morning
10 for which I had set the trial peremptorily,
11 ^{call} this telephone took place, and then when I
12 got into the Court, having alerted numerous
13 people as to the phone call, counsel for the
14 accused said that they were going to withdraw.
15 And that the accused of course would be
16 prejudiced, with having no counsel; and for
17 this reason I granted the other request,
18 deviating from my peremptory order of the day
19 before. So, the case did not go on that
20 morning, but at the date given on, as I
21 recollect it -- either a week or so later.

22 Q. You have not told us what was your
23 reply to Mr. Bluestein ---

24 THE COMMISSIONER: Now, now. He has not
25 told us very much about that conversation.

26 MR. WILSON: I was coming back to it,
27 Mr. Commissioner.

28 (TO THE WITNESS:) What followed, after he
29 ^{that} made this statement to the effect, he was going
30 out of the gambling business?



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1 A. I said to him, "I should not be
2 talking to you before a case."

3 THE COMMISSIONER: Just a moment now; do
4 not go too quickly.

5 THE WITNESS: I said, "I should not be
6 talking to you before a case."

7 THE COMMISSIONER: Yes?

8 A. And then Mr. Blustein merely reiterated--
9 and his voice was what I would call nice; it was
10 certainly not threatening in any way; and he
11 said he was merely calling me, and I cannot
12 recollect the exact words -- about putting his
13 best foot forward, as it were, to assure me
14 that he was getting out of the gambling
15 business.

16 Now, my reply to that was -- I think this
17 is verbatim; I said, "I will give you every
18 consideration, of course." Whereupon he
19 thanked me, and that was the end of our
20 conversation.

21 Q. Then, before or after that telephone
22 call did you have another call that morning?

23 A. Yes. Within thirty seconds of
24 the time that I terminated my conversation with
25 Mr. Blustein, the phone rang again, and this
26 time a very agitated and very threatening sounding
27 voice said, "Mr. Addison?" And I said "Yes?"
28 And the voice said, "Do you have one law for
29 Gentiles and one law for Jews?" And I said
30 something which was a denial that there was any



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1 such thing; and this voice said: "We will
2 see with Maxy Baker today." And I replied again,
3 in the tone that there was no need for that
4 sort of talk; and then this voice said: "You
5 should not even hear that case", and he hung up
6 on me, before I had any opportunity of replying
7 further.

8 Q. Now as to Maxy Baker: What
9 did that mean to you?

10 A. I had heard the name referred
11 to; heard Mr. Bluestein referred to as Maxy
12 Baker. I cannot tell you where or how, but
13 I knew that it referred to one of the accused,
14 Max Bluestein.

15 Q. You were just telling us
16 about getting to Court that morning; there was
17 a further enlargement. Tell us what transpired,
18 that brought about the enlargement?

19 A. When I got to the Court, I
20 immediately telephoned Senior Magistrate Elmore,
21 to advise him of the telephone calls. I
22 telephoned to the Attorney General's Department;
23 I am a little vague on the recollection of this
24 telephone call. I believe at the time that I
25 spoke to Mr. Bowman; I called in Sergeants Long,
26 and Walker, who were the sergeants in charge
27 of the case - am I a little too close to the
28 microphone?

29 THE CLERK: Yes.

30 THE WITNESS: (Continuing) - who were



1 in charge of the case, and advised them of the
2 telephone calls.

3 I called in Mr. Dubin and Mr. G.A. Martin
4 who were acting for some of the accused, and
5 advised them of the calls.

6 Mr. Martin and Mr. Dubin gave it as
7 their opinion that having received the calls,
8 I should not hear the case. I agreed with that,
9 provided that I made the announcement in open
10 court, as to my reasons for leaving the case.
11 They thought that this might prejudice the accused
12 before - - -

13 Q. Up to that point, had you talked
14 to anybody about what course of action you should
15 take, before you made that statement to counsel
16 for some of the accused?

17 A. Oh yes; I had, yes.

18 May I just refer to my notes of the
19 time? (Looking at document)

20 Yes. I spoke - I spoke to Magistrate
21 Elmore, and Magistrate Elmore and someone in the
22 Attorney General's Department. Both gave it
23 as their opinion that there was no legal reason
24 for my withdrawing.

25 I then advised the counsel for the
26 accused that I was prepared to withdraw from the
27 case, on condition that I state my reasons for
28 withdrawing in open court.

29 Both counsel stated that they felt
30 that this might prejudice the accused in any trial



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1 before another magistrate, and if that was my
2 condition for withdrawing, it would be preferable
3 that I go on with the case. However, under
4 the circumstances they felt that they preferred to
5 withdraw from the case themselves, and after
6 giving the accused an opportunity of obtaining
7 new counsel, the accused would be prepared to
8 proceed with the case.

9 Shall I go on?

10 Q. Yes, go on. When the case came
11 up for trial - - -

12 A. I granted the adjournment as
13 requested. Now, although I do not remember
14 the length of the adjournment, and I point out,
15 that Messrs. Dubin and Martin advised me that
16 the accused had requested that they remain as
17 counsel for them, and that they had agreed to do
18 so.

19 Q. Then, was it prior to the actual
20 trial, or after the actual trial that you had a
21 further meeting with somebody in the Attorney
22 General's Department? Or did you have any
23 further meetings with anybody in the Attorney
24 General's Department?

25 A. I did not have any further
26 meetings with anyone, sir.

27 Q. You just led up to the actual
28 date of trial, and you proceeded with the trial;
29 and what was the result?

30 A. As near as I can remember, each



1 of the accused; that is all three of them, were
2 / sent to jail for two months, and each of them
3 were fined 15,000 dollars, consecutive, or
4 an additional four months; or an additional
5 four months consecutive. In other words, if
6 they did not pay any fine, they would have to
7 do six months.

8 Now, as I understand - I am sorry, sir?

9 THE COMMISSIONER: Sentenced to how
10 many months?

11 THE WITNESS: Two months plus 15,000
12 dollars, sir, or an additional four months.
13 I gave stated reasons at the time; ~~about~~ and the
14 stated reasons were that I thought the group
15 were making better than one million dollars a
16 year.

17 MR. WILSON: Q. That was your estimate
18 of the take, based on the evidence in the case?

19 A. Yes, and my estimate was -
20 I do not know whether the Court is interested in
21 how I arrived at it.

22 THE COMMISSIONER: I am!

23 THE WITNESS: My estimate was arrived
24 at, sir, in this way: That when a race track - - -

25 THE COMMISSIONER: Just a moment now.

26 THE WITNESS: I am sorry, sir?

27 THE COMMISSIONER: You estimated they
28 were making how much?

29 THE WITNESS: One million one hundred
30 thousand thousand dollars a year.



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1 THE COMMISSIONER: That is the three
2 together, or each one?

3 THE WITNESS: I thought that one of them
4 was paramount over the other two, sir.

5 THE COMMISSIONER: Yes?

6 THE WITNESS: From the evidence, and not
7 from anything I had heard.

8 THE COMMISSIONER: Yes?

9 THE WITNESS: My estimate of the amount
10 of money they were making, and I am going on
11 recollection from that most of the evidence had
12 been obtained from the raiding of a house on
13 Broadview Avenue, and the arrest and conviction
14 of one Wise, and from the books. This was
15 the back end; from the books, this man was
16 doing a business in excess of 15 million dollars
17 a year; I think it was about 37 thousand - odd
18 dollars a day. And, since the race track took
19 off - I think it was between the race track,
20 the Dominion Government and the Ontario
21 Government, there was a profit of somewhere
22 between 17 and 18 per cent, before the odds were
23 arrived at. In other words, one of these sayings,
24 that when you put your dollar through the machine,
25 it is worth 83 cents. I do not know whether
26 that is clear, sir.

27 MR. WILSON: It is quite clear to me.

28 THE WITNESS: I understand.

29 And of course, the betting house keepers
30 do not give any yurses; they do not have any



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1 mutuals to pay, and they do not have any
2 equipment to service, so that before they
3 arrive at the odds, they were making 17 or the
4 18 per cent; that was with reference to the
5 horse racing.

6 Q. Of course, they had a ceiling
7 on what their payoff was?

8 A. 15 to one; I think that is
9 their limit, as far as winning, and they have
10 probably other limits for second and third.

11 Q. You are assuming in that
12 calculation, a balanced book?

13 A. I am assuming a balanced book;
14 it would be quite probably here, because of the
15 great volume of business; this was a 37 thousand
16 dollar a day operation, and presumably the
17 balance, even if it were off to some extent
18 could be, what they call laid off somewhere else.

19 Q. Was there any evidence of
20 lay off in that case?

21 A. There was not sir, no.

22 Q. Magistrate Addison, you said
23 one of the accused was more culpable than the
24 others; which one was that?

25 A. Elaestein. I thought he was
26 the one in authority, from all the conversations
27 that went on between him and the police, and
28 the others.

29 Q. Yes?

30 A. Now, with regard to that -





1 that is how I arrived at a percentage, in horse
2 racing.

3 Now, I think that the percentage in
4 baseball games, and hockey games, and in contests
5 between two opponents would be possibly a little
6 larger, and a little more certain; because as
7 I understand it, the percentage given by the
8 house is generally - there is some percentage
9 on the side of the house. In other words, if
10 you have one team you lay six to five; if you
11 want the other team, you still lay six to five,
12 so that you always get one-sixth going for the
13 house. I think they call that vigorsish; that
14 is the expression I have heard.

15 MR. WILSON: That is the expression
16 we have heard.

17 THE WITNESS: And of course, they cannot
18 lose at all; they get six to five, either way.

19 Q. Is there anything else that
20 you want to tell us about your method of calculation?
21 Or does that cover it?

22 A. That covers my method of
23 calculation; except machines. There might be
24 some expenses. The only expenses that were
25 visible to me were the wire service, and the
26 four individuals plus the telephone.

27 Q. What wire service did ~~they~~ they
28 have for this operation?

29 A. I do not recall, but it was a
30 wire service to the United States, where results





1 of games, fights, horses and various things
2 were available shortly after the contest was
3 completed.

4 Q. Can you recall whether or not
5 the actual name of the company supplying that
6 information was a matter of evidence in the case?

7 A. I do not sir.

8 Q. And there was some slight
9 error in the police records, so far as the
10 penalty was there not?

11 A. There was.

12 Q. What was the nature of the
13 error?

14 A. My judgment was, as I have
15 stated, that the accused would go to jail for
16 two months, and in addition each would be fined
17 15 thousand dollars, or an additional four months.

18 Apparently in the jail records, unless
19 the word "consecutive" is used, it is held by
20 the prison to be concurrent, notwithstanding the
21 fact that the way it was worded, it would have
22 made absolutely no sense whatsoever for this
23 to have been a concurrent sentence. Nevertheless
24 it was so construed, as concurrent, so that
25 to this effect: That if the accused were going
26 to pay no fine, they would have done only four
27 months, rather than the six months which it was
28 intended by me that they do.

29 The error of course, originally was
30 made by a clerk in the York Township, and to some





1 extent by myself; because I should have caught
2 it when I signed the warrant of commitment,
3 but did not catch it. I merely signed it,
4 without reading the words "consecutive".

5 I suppose, in mitigation, I could say,
6 since it would make no sense the way it was
7 worded to be read as concurrent, I would have
8 supposed that they would read it as consecutive;
9 normally that is the only way to have read it.
10 So that the practical effect it had, as I
11 understand from the papers, and from correspondence
12 that the Attorney General's Department had,
13 subsequently was that Mr. Bluestein was released
14 from that, having done his two months. He
15 then found, that for reasons of business or
16 otherwise, he wanted to be out, and applied to
17 pay the 15 thousand dollars which to his surprise
18 he found that they did not require - they did
19 not require fifteen thousand dollars from him.
20 They merely requested - I think it was around
21 6500 dollars. Because they said all he had
22 to do was a little less than half of the four
23 months; whereas formerly he would have had
24 four more months to do.

25 Q. Are you suggesting that the
26 error made by the clerk was an honest error?

27 A. Beyond any question, sir.

28 Q. In your experience as a
29 what
30 Magistrate, would you say as to the fine versus
a jail sentence, as a deterrent in cases of this





1 kind?

2 A. All I would say, that the
3 jail sentence in this case would be a much
4 greater deterrent than the fine. It is a
5 personal opinion; because if a man is making
6 one million dollars a year, unless he has some
7 other reason for not disclosing the amount of
8 money which he is making, 15 thousand dollars
9 would not be a great deal of money to him.

10 Q. I would think not.

11 A. No.

12 MR. WILSON: Thank you.

13 THE COMMISSIONER: Have you any
14 questions, Mr. Hogg?

15 MR. HOGG: One or two questions.

16
17
18
19 EXAMINED BY MR. HOGG:

20
21 Q. Magistrate Addison, you say
22 you recognized his voice; was that from hearing
23 it in the Court?

24 A. Yes. It is a rather distinctive
25 voice, Mr. Hogg; it is not the ordinary sort
26 of voice. It is one you could recognize quite
27 easily.

28 Q. Were you asked by the Attorney
29 General's Department to make a statement as to
30 what had occurred or by the Attorney General's



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introduction to the subject of the book.

The second part of the book is devoted to a

discussion of the various methods of

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discussion of the various conclusions

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1 Department, through the police?

2 A. No.

3 Q. At any time?

4 A. No.

5 Q. Were you interviewed by any
6 police officer, sent by the Attorney General's
7 Department?

8 A. No sir, no.

9 MR. HOGG: Thank you.

10 THE COMMISSIONER: Mr. Brewin?

11
12
13 EXAMINED BY MR. BREWIN:

14
15 Q. Magistrate Addison, did you
16 preside over a charge against the Finnish Club,
17 on a gambling charge?

18 A. I did.

19 Q. And I think they were convicted,
20 were they not?

21 A. If I am not mistaken, I
22 sent them to jail for some time, plus a one
23 thousand dollar fine.

24 Q. Yes.

25 A. These were rather large amounts
26 at that time; I think it was not customary to
27 impose quite as severe a penalty, and I think
28 it was more or less setting some sort of
29 precedent.

30 Q. Do you recall who was their



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1 counsel?

2 A. David Humphrey. Mr. Hogg
3 was Crown Counsel.

4 Q. I see. Do you recall any
5 hearing, or do you recall hearing from some
6 other lawyer in regard to these charges? From
7 a Mr. Herman?

8 A. This is rather embarrassing;
9 I do not know how - how all this would have gotten
10 about. Someone did call, who said he was
11 Mr. Herman. That is the only reason why I
12 have made no mention of it.

13 Q. You know Mr. Herman quite well?

14 A. I know Mr. Herman; I do not
15 know him quite well.

16 Q. You ~~y~~ knew him well enough to
17 know it was Lou Herman who was phoning you?

18 A. The voice; the voice identified
19 itself as that of Mr. Lou Herman. I did not
20 know ~~his~~ his voice.

21 Q. Did he give you some advice,
22 or make some request as to what you should do
23 in this case?

24 A. The voice did.

25 Q. The voice did?

26 A. Yes.

27 Q. What sort of advice did the
28 voice give you?

29 A. Told me that it was interested
30 in Finnish relations, insofar as it affected -



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Exhibit 100 1015

1 I do not know - something that Mr. Brown was
2 interested in, or something that the voice
3 was interested in.

4 Q. What bearing does that have
5 on your functions?

6 A. It would appreciate any
7 forbearance, or otherwise that I might find it
8 in my good judgment to give against an accused
9 called Kiznyuk, Pleschuk.

10 THE COMMISSIONER: Just a moment.

11 THE WITNESS: I did not even mention
12 this to myself. I don't know how you got
13 about it.

14 MR. BREWIN: Q. Never mind.

15 A. I do not recall having ever
16 said this, because I did not identify the voice.

17 THE COMMISSIONER: Any forbearance
18 that you might give that?

19 MR. BREWIN: Inserted as an objection
20 that is the only way - - -

21 THE COMMISSIONER: That is in regard
22 to Pleschuk?

23 THE WITNESS: Pleschuk.

24 THE COMMISSIONER: Any forbearance
25 that you might give towards him. Is that what
26 you said?

27 THE WITNESS: That is right.

28 MR. BREWIN: Q. What did you tell
29 the voice? Do you recall what answer you gave?



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1 A. I am trying to think for a moment,
2 Mr. Brewin; I am trying to search my memory.
3 As I say, I have never mentioned this to anyone,
4 and not really thought of it myself.

5 I assured whoever it was, that I
6 would give full consideration to anything in
7 favour of the accused and keep in my mind that
8 he was a friend of the person who was calling,
9 who was giving this good character reference,
10 or this attempt for whatever forbearance I could
11 find, with reference to that accused.

12 Q. Then, the voice said it was
13 Mr. Lou Herman, did it?

14 A. Yes.

15 Q. Did you ever speak to Mr. Lou
16 Herman subsequently, to find out whether the voice
17 was his or not?

18 A. I did not, Mr. Brewin; I do
19 not think the result was favourable, to him this
20 extent: That if it were him, it would be as
21 if I were rubbing it into him. So it did not
22 seem like the sort of thing I wanted to pursue
23 in any event.

24 THE COMMISSIONER: Mr. Rose, are there
25 any questions?

26 MR. ROSE: One or two questions.



1. The first part of the report is devoted to a general survey of the situation in the country.

2.

3. The second part of the report is devoted to a detailed analysis of the economic situation.

4. The third part of the report is devoted to a detailed analysis of the social situation.

5. The fourth part of the report is devoted to a detailed analysis of the political situation.

6. The fifth part of the report is devoted to a detailed analysis of the cultural situation.

7. The sixth part of the report is devoted to a detailed analysis of the educational situation.

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10. The ninth part of the report is devoted to a detailed analysis of the transportation situation.

11. The tenth part of the report is devoted to a detailed analysis of the communication situation.

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17. The sixteenth part of the report is devoted to a detailed analysis of the savings situation.

18. The seventeenth part of the report is devoted to a detailed analysis of the investment situation.

19. The eighteenth part of the report is devoted to a detailed analysis of the foreign trade situation.

20. The nineteenth part of the report is devoted to a detailed analysis of the international relations situation.

21. The twentieth part of the report is devoted to a detailed analysis of the global situation.

22. The twenty-first part of the report is devoted to a detailed analysis of the future prospects.

23. The twenty-second part of the report is devoted to a detailed analysis of the conclusions.

24. The twenty-third part of the report is devoted to a detailed analysis of the recommendations.

25. The twenty-fourth part of the report is devoted to a detailed analysis of the annexes.

26. The twenty-fifth part of the report is devoted to a detailed analysis of the bibliography.

27. The twenty-sixth part of the report is devoted to a detailed analysis of the index.

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EXAMINED BY MR. ROSE:

Q. In respect of this telephone call that you received from Max Bluestein, or Max Baker, there was no money mentioned there, at all?

A. No sir.

Q. There was no mention of money?

A. None, Mr. Rose.

Q. There was no other occasion where the question of money was raised?

A. No.

Q. The reason I am asking you that, is that I notice in Mr. Wintermeyer's speech, on page 108, he said in the Legislature:

"It has been reported that an
"attempt to bribe Magistrate Addison
"with \$50,000 was made prior to the
"trial of another well-known gambler.
"It would be interesting, Mr. Speaker,
"to know what steps, if any, the
"Honourable Attorney General took
"in this matter."

Was there ever any attempt to bribe you, with fifty thousand dollars? Prior to the trial of a well-known gambler?

A. Not unless you call Mr. Humphrey's jocular reference in the street an attempt to bribe me. I was not interested in the case.

Q. I wonder where Mr. Wintermeyer



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J. Addison

4652

1 got the information?

2 A. Maybe from Mr. Humphrey.

3 Q. Mr. Humphrey made some jocular
4 reference, did he?

5 A. I do not know; but as I said,
6 to Mr. Humphrey, and I say the same to you:
7 Nobody ever offered me, or tried to offer me
8 fifty thousand dollars for the case. I should
9 have thought it - I do not know whether the
10 Court is interested in my opinion - but I should
11 have thought that after the manner in which I
12 started to holler, simply would have deterred
13 anybody from making offers of any kind.

14 Q. There was nothing to the effect
15 as Mr. Wintermeyer mentioned? There was no
16 offer of fifty thousand dollars?

17 A. No offer of fifty thousand
18 dollars.

19 Q. Thank you.

20 MR. HOGG: In order if I might put a
21 question to the witness?

22 THE COMMISSIONER: Yes.

23
24
25
26
27 EXAMINED BY MR. HOGG:

28
29 Q. In regard to what Mr. Rose
30 has brought up: Did you read the Telegram,





J. Addison

4653

Magistrate Addison, of Saturday, April the 15th, 1961?

A. Yes. I mentioned this to Magistrate Elmore, and asked him what he thought I should do; I phoned him at his house.

THE COMMISSIONER: April the what?

MR. HOGG: April the 15th, 1961.

I had here a copy of the original of the evening Starred pink Tely.

A. It was an older type, because it gave, I thought, a rather poor picture of myself. (Laughter)

Q. It says that Magistrate Joseph Addison was offered a bribe, reported at fifty thousand dollars - before a case that the Magistrate would be hearing. So, this was given wide publicity in the three Toronto papers.

I wonder if I might file this as an Exhibit, Mr. Commissioner?

THE COMMISSIONER: All right.

THE REGISTRAR: Exhibit 146.

--- EXHIBIT NO. 146: Copy of Toronto Telegram, dated April 15, 1961.

THE COMMISSIONER: Is that all?

MR. HOGG: That is all.

THE COMMISSIONER: Are there any further questions?

MR. WILSON: There is one question





1 that I should have asked the witness.

2 During your period as a Magistrate,
3 have any of the senior personnel in the Department
4 of the Attorney General, interfered in any
5 way with you in the carrying out of your duties?

6 A. No. I hesitated, because
7 from time to time I have spoken to Mr. Bowman,
8 but it was not in any endeavour to regulate
9 any of my judgments or anything else.

10 It was always with reference to something that
11 I had done, that was completely irrelevant to
12 gambling, or it was merely something where he
13 requested an explanation; and I have spoken to
14 Mr. Bowman on several occasions, but it was
15 never anything that tried to get me to do
16 anything or not to do anything.

17 MR. WILSON: That is all, thank you, very
18 much.

19 THE COMMISSIONER: Thank you very much.

20
21 ---The witness retired.

22
23
24
25 MR. WILSON: Would you call Magistrate
26 Thompson.





FREDERIX NIVILLE THOMPSON, sworn:

EXAMINED BY MR. WILSON:

Q. You were appointed a Deputy Magistrate in November, November the 5th, 1955?

A. That is right.

Q. And you have continued as a Deputy Magistrate since that time?

A. That's right.

Q. Now, do you know or did you know the late James Maloney?

A. Yes, I did.

Q. When did you first meet him?

A. I met him at the home of his brother, Arthur Maloney.

A. Can you fix the year?

A. I would say, to the best of my knowledge and recollection, it ^{would} ~~must~~ be some time in 1958.

Q. 1958, and what was the occasion of that meeting?

A. I had telephoned Arthur Maloney, whom I had known for many years, and who was one of my supporters in the nomination of myself as a Deputy Magistrate for the purpose of discussing with him some advice I would like from him, as to the possibility of being promoted to full Magistrate and Arthur invited me up to his home. I got there around eight o'clock that night; I



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PROJECT: THE CHEMISTRY OF THE CARBON-14 ISOTOPE

REPORT BY: DR. J. H. COOPER

DATE: JANUARY 1950

THIS REPORT WAS PREPARED FOR THE

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UNDER CONTRACT NO. AT-(40-1)-3400

PERFORMED AT THE UNIVERSITY OF CHICAGO

CHICAGO, ILLINOIS

THIS REPORT IS ONE OF A SERIES OF

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PREPARED BY THE UNIVERSITY OF CHICAGO

FOR THE ATOMIC ENERGY COMMISSION

AND THE NATIONAL BUREAU OF STANDARDS

UNDER CONTRACT NO. AT-(40-1)-3400

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1 did not have dinner at his home, by the way,
2 as was mentioned here.

3 Q. And on that occasion James
4 Maloney came over to his brother's house?

5 A. He came over later on; he came
6 over, as I said, and there was conversation to
7 discuss political speeches throughout the Province.

8 Q. I see.

9 A. It had nothing to do with me.

10 Q. It had nothing to do with you?

11 A. No.

12 Q. You just happened to be there?

13 A. I just happened to be there.

14 Q. Yes. And how long were you there,
15 while James Maloney was there?

16 A. Oh, perhaps about one hour.
17 I had been there with Arthur for some time, prior
18 to James' arrival; and he had brought his wife
19 Lillian in, and showed me his baby; he was
20 very proud of his baby, and it was a very
21 beautiful child. And at some later stage
22 James Maloney arrived; he may have arrived at
23 half past nine or a quarter after nine.

24 Q. At that time you had a discussion
25 with Arthur Maloney about the possibility of
26 some promotion?

27 A. Yes.

28 Q. Did that conversation continue,
29 along the line, after James Maloney arrived?

30 A. It dropped abruptly when James



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1 Maloney arrived; and it was only resumed at
2 a later period, when Arthur explained my presence
3 there.

4 Q. Did you see Jim, the late Jim
5 Maloney after that time?

6 A. Yes, on a number of occasions.

7 Q. On a number of occasions?

8 A. Yes.

9 Q. And what type of occasions
10 would those be?

11 A. Sometimes they would be
12 in the Press gallery at Queen's Park; I used to
13 drop in occasionally, because of my many
14 years working in the Press, for twenty-five
15 years; and after that I stopped going to it.
16 And he was playing cards with some of the press
17 representatives.

18 Q. Now you - - -

19 A. I do not play cards by the way,
20 Mr. Wilson; but I was just watching.

21 Q. You were just watching?

22 A. Yes. (Laughter) They were
23 playing poker and games like that.

24 Q. Undoubtedly, there was no
25 mention of money?

26 A. No. (Laughter)

27 Q. You were the presiding
28 magistrate in hearing certain charges against
29 Kenneth Currier?
30



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A. Yes.

Q. What year was that in?

A. May I use my notes?

Q. Yes; very well.

A. Kenneth Currier, was tried on August the 22nd, 1958, and finally was tried - the judgment was given on April the 20th, 1959.

Q. Who was the defence counsel in that case?

A. David Humphrey and Arthur Maloney.

Q. What was the nature of the charge against Kenneth Currier?

A. Keeping a common betting house, or gaming house.

Q. Now, at any time prior to the trial or during the trial, did you hear from anyone - from anyone about the trial of the case?

A. I had a call - - -

THE COMMISSIONER: Do not go too fast.

THE WITNESS: I had a call that morning, while I was having breakfast at approximately nine o'clock/ I had been trying since then to fix the time; I did not take any notes then; but to the best of my knowledge it would be in February or March of 1959.

MR. WILSON: Yes?

A. And the time of the trial would be after the Crown's evidence, and the



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1 defense evidence had gone in; and it was during
2 an adjournment, when the Crown was attempting
3 to introduce rebuttal evidence in the form of
4 five witnesses, whom the Crown alleged had
5 attended this Finnish Club, and who had
6 never paid their fees. In other words, it was
7 a phony club arrangement; that was the Crown's
8 contention.
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12 (Page 4670 follows)
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MR. WILSON: Q. And you say there had been some argument?

A. There was a defence argument, a very strenuous argument, by Mr. Maloney, to the effect that this was contrary to the rules of evidence and was inadmissible, and I had adjourned to study some cases that both the defence and Crown had submitted. I eventually gave a ruling admitting the evidence.

Q. Now, tell us about this --

A. The evidence was different from what the Crown alleged it would be.

Q. That sometimes happens.

A. But I -- On request of the Crown I declared all five to be hostile witnesses. There was evidence they had been tampered with.

Q. Now, tell us about this phone call that you had.

A. The phone call -- It was a man. I answered the phone. It was a man. He said, "This is Jim Maloney."

THE COMMISSIONER: Q. Do not go too quickly.

A. Again, I didn't take notes, my lord. I am just going on the best of my recollection.

Q. Yes.

A. He said something to the effect,



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1 "You know me, I am Arthur's brother, the
2 Minister of Mines". And I wondered why he
3 had called. And he said it was on behalf
4 of Courier and the Finnish Club. I was
5 rather stunned at this and said something to
6 the effect that the trial was not over, and
7 he said he realized that. He --

8 Q. He said what?

9 A. He said he realized that. And
10 he said his brother Arthur was very worried
11 about this case, that it was a very important
12 case to him. And I asked him why is he
13 calling. And he said he had a personal interest
14 in the case. At that point --

15 MR. WILSON: Did this person who called
16 suggest what the personal interest was?

17 A. No, he didn't.

18 Q. What further happened?

19 A. Well, I must admit, I was very
20 nervous and a little shocked at this call and
21 I rather stumbled a bit on the phone and broke
22 off the connection. I refused to talk to
23 him any more.

24 Q. ^{up} Now, to that point had any person
25 ever called you and said that it was Jim Maloney
26 speaking?

27 A. No.

28 Q. Or James Maloney?

29 A. No.

30 Q. So you had no conversation with



1 James Maloney or Jim Maloney up to that time?

2 A. No, never.

3 THE COMMISSIONER: Q. Let me see if
4 I have all he said: The voice said, "This
5 is Jim Maloney". Something to the effect
6 he was Arthur's brother and on behalf of
7 Courier and the Finnish Club. "I said the
8 trial is not over and he said his brother
9 was very worried about the case and that he",
10 the voice, "had a personal interest in it".
11 And you said you refused to speak to him
12 any more?

13 A. Yes.

14 Q. Is that the whole conversation?

15 A. That's just about it, to the
16 best of my recollection. There may have
17 been other things but I can't remember.

18 MR. WILSON: Q. Up to that date, had
19 Arthur Maloney made any representations to
20 you outside the courtroom?

21 A. No.

22 Q. Or later?

23 A. No.

24 Q. What did you do as a result of
25 that call?

26 A. I did nothing that day. I
27 don't believe there was a hearing that day
28 in court. I think that the next court
29 appearance I called the Crown in, that was
30 Nicholas McRae, and told Nick about it. And we



James Henry of the University of Chicago

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1 decided to do nothing about it at that stage.

2 Then, some days later I got another call.

3 Q. What time of the day was the
4 later call?

5 A. About the same time.

6 Q. And did the person identify
7 same
8 themselves in the same way?

9 A. In the same way. Well, not quite
10 as elaborate as before; he just said it was
11 Jim Maloney.

12 Q. Was it, in your judgment, the
13 same voice?

14 A. Yes.

15 Q. On the second occasion what was
16 the substance of the conversation?

17 A. Well, I can't remember the second
18 call, to be honest, Mr. Wilson. It was just
19 something along the, "Well, how is the case
20 I am interested in? Arthur is still worried",
21 something along that line.

22 Q. I take it you cut that off?

23 A. I cut it off again.

24 Q. I gather there was another call?

25 A. I am not certain.

26 Q. Whether there was?

27 A. Or whether it was a call my wife
28 got and relayed it to me. There was a
29 subsequent report to me of another call in
30 hospital.

Q. Someone calling your house?



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1 A. Yes. Within two weeks of the
2 first call I suffered a heart attack and went
3 to the hospital with a heart attack and double
4 pneumonia.

5 Q. But, apart from the two calls
6 you have mentioned, you did not have any other
7 calls from anyone saying they were Jim Maloney
8 or James Maloney?

9 A. No.

10 Q. Did you report those calls to
11 anyone?

12 A. After I came out of hospital I
13 decided to report it to Senior Magistrate Elmore
14 and went down to the City Hall and found out
15 he was out of town on holidays, or was just
16 away; in any event he was not there. I,
17 then, contacted Mr. Common and went up to
18 see him at Queen's Park and told him the story
19 I am telling you today.

20 Q. What did Mr. Common have to say?

21 A. My recollection is that Mr.
22 Common was of no aid on these calls, and he
23 intimated as to me, to the best of my recollection,
24 that Mr. Maloney - that is, Mr. James Maloney -
25 hair
26 had been in the name of the department, as
27 I recall his phrase, for some time. After
28 we discussed it, I asked his advice, should
29 I continue on the case since the case was
30 almost over or should I disqualify myself.
And he asked me if I thought I could give





1 an honest verdict, and I said I could. "Well,
2 then," he said, "go ahead and proceed with
3 the case."

4 Q. Did you have any further
5 interviews with anybody at the Attorney-General's
6 Department?

7 A. About a week later Mr. Common
8 called me and asked me to come in and see
9 him. He had told me the week before that he
10 didn't think there was any need to report
11 this to the Attorney-General. A week
12 later he called me in and I went into see
13 him at Queen's Park. And there he told
14 me the situation had changed, that something
15 had come up - he didn't tell me what - and
16 he led me in to see the Attorney-General and
17 asked me to repeat the story I am telling
18 today.

19 Q. And you told the Attorney-
20 General at that time the story you have told
21 in the box?

22 A. Yes. I had no desire to see
23 the Attorney-General, I may say.

24 Q. Did the Attorney-General ask
25 you whether it was possible this was someone
26 on the phone who was saying they were Mr.
27 Maloney and, in fact, it was not Mr. Maloney?

28 A. Yes, the Attorney-General, with
29 great respect to him, cross-examined me very
30 severely, suggesting, first, it may very well



the same manner as the other lands in the

State, and the same shall be subject to the

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1 have been someone else, and I agreed it was
2 a possibility.

3 Q. You agreed with him at that
4 time it was a possibility?

5 A. Yes. He made another suggestion,
6 very thinly veiled, that Mr. Maloney may have
7 been under the influence of alcohol.

8 Q. And did the voice who called
9 you on these two occasions give any
10 suggestion of alcoholism, or any imbibing?

11 A. I can't answer that, Mr. Wilson.
12 I have talked to people on the phone who have
13 been intoxicated.

14 Q. And talked very well?

15 A. Yes. I get that argument all
16 the while in driving cases.

17 Q. This meeting, I take it, with the
18 Attorney-General was before you actually
19 disposed of the case?

20 A. Yes.

21 Q. Did you hear anything further
22 from the Attorney-General after what about
23 this particular incident?

24 A. No, it has never been referred
25 to since.

26 Q. Did you ever refer anything about
27 this incident to Mr. Arthur Maloney?

28 A. No. I met him two or three
29 times.

30 Q. And what was Mr. James Maloney's --



THE UNITED STATES OF AMERICA

IN SENATE

January 1, 1900

REPORT

OF THE

COMMISSIONERS OF THE

LAND OFFICE

FOR THE YEAR

ENDING DECEMBER 31, 1899

AND

THE PROCEEDINGS OF THE

COMMISSIONERS

IN THE YEAR

1900

AND

THE PROCEEDINGS OF THE

COMMISSIONERS

IN THE YEAR

1901

AND

THE PROCEEDINGS OF THE

COMMISSIONERS

IN THE YEAR

1902

AND

THE PROCEEDINGS OF THE

COMMISSIONERS

IN THE YEAR

1903



C/2

1 I believe there was a newspaper story about
2 this in both the Globe & Mail, written I
3 think by Mr. Greer sitting over here (indicating)
4 and also in the Star the next day. Where
5 did they get their information on that?

6 A. I don't know. I can't answer
7 that question.

8 Q. As a result of the articles
9 what -- This was during the lifetime of the
10 late James Maloney. What position did he
11 take at that time?

12 A. Well, I never heard from him.

13 Q. Was not there a public denial?

14 A. Yes, I understand there was a
15 public denial. On the night of the public
16 denial I had a telephone call from the
17 Globe & Mail asking me to make a statement,
18 and I phoned Mr. Common and told him I was
19 worried about this and he asked me at that time
20 how the story got out, and I called the
21 newspaper and told them I refused to say
22 anything about it.

23 Q. I do not have the articles here
24 just now and, of course, Mr. Arthur Maloney
25 is not present, but there was a denial
26 reported by those papers, purporting to have
27 been made by the late Mr. Maloney?

28 A. I don't know whether that
29 newspaper article actually referred to me or
30 just said "a magistrate".





1 Q. You are not sure whether you
2 were named?

3 A. No.

4 Q. What was the outcome of this
5 trial?

6 A. There was a conviction.

7 Q. There was a conviction. And
8 what was the penalty, do you recall?

9 A. Well, I am afraid I am in the
10 minor class when it comes to penalties.

11 THE COMMISSIONER: Q. What was it?

12 A. It was \$200 or two months, I
13 believe.

14 MR. WILSON: Q. This was a --

15 A. That was the usual penalty in
16 those days.

17 Q. This was a gaming charge?

18 A. Yes.

19 Q. What is your view as a magistrate,
20 based on your experience, of a fine as compared
21 with a jail sentence as a deterrent in
22 charges of this type?

23 A. Well, I have changed my mind
24 since then. I gave a jail term plus a fine
25 and I have been upheld by the Appeal Court.

26 Q. Since your appointment in 1955,
27 has any senior member of the Attorney-
28 General's Department in any way attempted
29 to interfere with the carrying on of your
30 duties?



THE UNITED STATES OF AMERICA
DEPARTMENT OF THE ARMY
OFFICE OF THE ADJUTANT GENERAL
WASHINGTON, D. C.

ADJUTANT GENERAL'S OFFICE

ADJUTANT

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1 A. No, never. They have always
2 given me the fullest co-operation.

3 MR. WILSON: I will try and get those
4 two newspaper articles, Mr. Commissioner.
5 They do not appear to be here at the moment.
6 Also, I understand, there is a statement by
7 Mr. Maloney which should be put in evidence.

8 THE COMMISSIONER: We will have a
9 ten minute recess.

10 ---Short recess.

11
12 MR. WILSON: There is one more question
13 I would like to put, Mr. Commissioner.

14 Q. When you had the meeting with
15 the Attorney-General what direction did he
16 give you as to trying of the case by yourself?

17 A. Well, he asked me the same
18 question that Mr. Common had asked and, as
19 a result of it, he directed me to proceed with
20 the case.

21 Q. Thank you.





1 EXAMINED BY MR. HOGG:

2 Q. Sir, prior to becoming a
3 magistrate, you had been a newspaper reporter
4 for some considerable length of time?

5 A. Yes, about 25 years.

6 Q. Certainly in the last few of
7 that profession you had covered the courts?

8 A. Yes.

9 Q. And, in addition to being your
10 vocation, was of great interest to you?

11 A. Yes.

12 Q. And you got to know senior
13 members of the Bar and, on numerous occasions,
14 would discuss legal points with them?

15 A. Yes.

16 Q. And after becoming a magistrate
17 you continued your interest in the field of
18 law and subscribed to the Canadian Criminal
19 Cases, and other legal publications?

20 A. Yes.

21 Q. And tried to acquaint yourself
22 with the rules of evidence, and so forth. Now,
23 you have told the Commissioner you met, face
24 to face, Mr. James Maloney for the first time
25 at the home of his brother?

26 A. That is right.

27 Q. And subsequent to that you used
28 to meet him on numerous occasions when you
29 dropped in to the Press Gallery, where your
30





1 friends were?

2 A. I wouldn't say numerous occasions;
3 three, four or five occasions; and twice I
4 recall meeting him in the corridor of the
5 Legislature, and once he introduced me to
6 the Speaker of the House.

7 Q. You would engage in conversation
8 with him?

9 A. Oh, yes.

10 Q. And I suggest to you he had a
11 very distinctive voice?

12 A. Yes.

13 Q. And when you were called on the
14 morning that you have told us about - that
15 is, the first phone call - I suggest to you,
16 Mr. Thompson, there was no doubt in your mind
17 that that was the voice of Jim Maloney?

18 A. None whatever.

19 Q. And I suggest you based that on
20 two grounds: First of all, from recognizing
21 his voice, this distinctive voice; and, secondly,
22 because he referred to something that you
23 would suspect only he and perhaps his brother
24 would have any knowledge of?

25 A. Well, others in the trial, too,
26 ofcourse. The accused --

27 Q. I am referring to something
28 right outside of the trial.

29 A. That is right. Mr. McDermott, by
30 the way, was present at the trial.





1 Q. Yes. I was going to come to
2 that later.

3 A. All right.

4 Q. You have had a number of cases
5 before you and are well aware of the manner
6 in which a telephone call can be proved in
7 evidence?

8 A. Yes.

9 Q. Now, in addition to identifying
10 himself as James Maloney, saying he was
11 Arthur's brother, the Minister of Mines, and
12 saying he was calling on behalf of Courrier --

13 A. I am not sure that he mentioned
14 Courrier, now, but it was the Finnish Club.

15 Q. The Finnish Club?

16 A. Yes.

17 Q. And, in addition to saying his
18 brother Arthur was worried about the case,
19 I suggest to you that he mentioned something
20 about your desire to become a full magistrate,
21 since you were doing the same work that all
22 the other magistrates were doing?

23 A. I can't honestly answer that
24 question. I don't know. He may have, but near
25 the end of the conversation I was almost in
26 a state of shock, so much so my wife got up
27 from the table when she saw me because I had --
28 apparently the colour had drained from my
29 face and she thought I was going to faint.

30 Q. I can appreciate that, sir. I



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50	50	50



1 am asking you to search your memory.

2 A. I have searched my memory.

3 Q. Can you recollect anything said
4 in connection with your appointment as a
5 full magistrate, or anything about this matter
6 coming up before Cabinet?

7 A. I can't recollect.

8 Q. You have told the Commissioner
9 there was no doubt in your mind that that
10 was the voice of Jim Maloney?

11 THE COMMISSIONER: Well, he has told
12 me that and he has told you that, and there
13 is no need to repeat it.

14 MR. HOGG: Q. Now, did you, after
15 receiving that telephone call, -- Who was
16 the first person you told this to?

17 A. Well, my wife.

18 Q. Your wife?

19 A. I had to wait to tell her because
20 my father, who was very elderly, was present
21 at the table, and I didn't want to disturb
22 him.

23 Q. Who was the next person you
24 informed?

25 A. I think it was the Crown, Nick
26 McRae.

27 Q. And did you inform anyone else
28 about this until the next telephone call came?

29 A. I don't believe so.

30 Q. And the next telephone call was





1 how much later?

2 A. Oh, just a few days.

3 Q. About the same time?

4 A. Yes.

5 Q. And, again, on this telephone call
6 there was no doubt in your mind that this was
7 James Maloney calling?

8 A. No.

9 Q. You recognized his voice?

10 A. That is right.

11 Q. And virtually the same thing
12 was said?

13 A. Yes.

14 Q. Can you recall whether anything
15 was said about your appointment as a full
16 magistrate at that time?

17 A. No, I can't. I have an impression
18 that something was said on either the first
19 or the second occasion, more likely the second,
20 but I can't honestly say there was that
21 reference.

22 Q. Did you have the feeling, if
23 you cannot recollect what was said, that that
24 was the suggestion that was made?

25 A. Well, it's just a feeling.

26 Q. A feeling. And, again, were
27 you upset and very apprehensive?

28 A. Well, I was more angry this time
29 than upset.

30 Q. Who did you tell about the second





1 telephone call?

2 A. Again, I spoke to Mr. McRae about
3 it.

4 Q. And to anyone else, sir?

5 A. I spoke to one other person, and
6 I am not certain now in my mind whether it
7 was just prior to going into the hospital -
8 there was an adjournment, of course, while I
9 was in the hospital, because I was seized
10 with the case - or whether it was just after
11 I got out of the hospital. But, I felt I
12 should talk to some friend to whom I could
13 go for advice, and this was Mr. Al McGuire
14 of the Toronto Star. I explained this was
15 in confidence and of the seriousness of it
16 and not to reveal it, and he called me last
17 week to recall this to my mind, I had forgotten
18 his advice. And it was on his advice I
19 went to the Deputy Attorney-General, Mr. Conner.
20 ~~xx~~ I had intended to go to him, in any
21 event, but he thought I should go immediately.

22 Q. While you were in hospital
23 was it reported to you that Mr. Maloney had
24 called the hospital?

25 THE COMMISSIONER: Now, just minute.
26 Is this relevant?

27 Q. While you were in the hospital
28 someone said something to you. Who was the
29 person?

30 A. A special nurse. I had special



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1 nurses on 24 hours.

2 MR. HOGG: Q. Had this special nurse
3 taken the call?

4 A. Yes. I wasn't allowed to
5 answer the call.

6 Q. Do you recall her name?

7 A. No, I don't. I have a record
8 at home.

9 Q. You have a record?

10 A. Yes. I don't know whether she
11 would remember that today. That is a number
12 of years ago. And, again, it may have been
13 something repeated. I am not sure that she
14 took the call. She just reported the phone
15 call. She may have taken it from the general
16 nurse on the switchboard.

17 Q. After trying to contact
18 Magistrate Elmore you found he was out of town
19 and you contacted Mr. Common?

20 THE COMMISSIONER: Just a moment.

21 Q. No one in his sober mind would
22 call you when you were in the hospital and ask
23 you some favour in connection with a case,
24 do you think?

25 A. No.

26 Q. I would not think so either.

27 A. Of course, Mr. Jim Maloney, or
28 the person representing himself as Mr. Jim
29 Maloney, never asked me for a favour.

30 Q. Well --



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1 A. It was suggested, of course.

2 Q. Having in mind you were flat on
3 your back in the hospital, I suggest to you
4 no person, thoroughly sober and in command
5 of himself, would take that time to call you?

6 A. Well, that was one of the few
7 calls that came for me at the hospital.

8 MR. HOGG: Q. You do not know whether
9 Mr. Maloney knew of the seriousness of your
10 illness or how badly ill you were in the
11 hospital?

12 A. No.

13 Q. Then, you called Mr. Common and
14 went to see him?

15 A. Yes. I reported, by the way, to
16 Mr. Elmore at a later date when he returned.

17 Q. Do you recall Mr. Common saying
18 anything else about Mr. Maloney being in
19 the hall of the Department for some time?

20 A. No.

21 Q. Anything else concerning Mr.
22 Maloney?

23 A. No.

24 Q. He said there was no need to
25 report this to the Attorney-General?

26 A. That was my understanding, that
27 that was as far as it need go, since I had
28 reported it to him.

29 Q. I take it you reported to Mr.
30 Common that there was no doubt in your mind that



Q. Is that correct?

A. Yes, that is correct.

Q. Now, in the beginning, I want to ask you

to please, if you can, to state the name

of himself, and the name of the person

Q. (Says: "I am the person")

Q. Now, I want to ask you to state the name

of the person, and the name of the person

Q. Now, I want to ask you to state the name

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Q. Now, I want to ask you to state the name



1 this was a call from Mr. Maloney and you
2 recognized his voice?

3 A. Yes.

4 THE COMMISSIONER: Q. There were a
5 few adjournments in that case?

6 A. Yes. The charge was laid late
7 in August. It is customary in gambling cases
8 of that nature for a number of adjournments
9 at the beginning, requested by the Crown to
10 produce their evidence. In October I was
11 gone the entire month on holidays and that
12 put it over into November, and, then, we were
13 into the Christmas holidays and Mr. Humphrey
14 reported he had great difficulty getting
15 in touch with Mr. Maloney because of his
16 duties in Ottawa, and Mr. Humphrey was always
17 present and always prepared to go ahead.

18 Q. Mr. Humphrey was always ready
19 to go ahead?

20 A. Yes.

21 Q. You said McDermott attended the
22 trial?

23 A. I can recall seeing him almost
24 every day at the trial. He sat in the body
25 of the court.

26 Q. He was displaying some unusual
27 interest?

28 A. Well, I had recognized him from
29 a former trial of another Finnish trial and he
30 sat through that. I didn't know whether he



THE UNITED STATES OF AMERICA
 DISTRICT COURT OF THE DISTRICT OF COLUMBIA

IN RE: THE ESTATE OF JAMES M. SMITH

THE PETITIONER, JAMES M. SMITH, JR.

VS.

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VS.



1 had any connection with this, and I asked
2 one of my newspaper friends and he said he
3 was one of the two thieves.

4 Q. He seemed to have some interest
5 in this particular case?

6 A. Yes.

7 MR. HOGG: Q. What was the changed
8 situation that Mr. Common suggested you should
9 see the Attorney-General?

10 A. He didn't tell me.

11 Q. Did the Attorney-General indicate
12 that to you?

13 A. No.

14 Q. Did you gather from Mr. Common
15 or the Attorney-General they had spoken to
16 Mr. James Maloney?

17 A. What was that question?

18 Q. Did you gather from Mr. Common
19 or the Attorney-General they had spoken to
20 Mr. James Maloney about this report of yours?

21 A. No, I never got that impression.

22 Q. You never had that impression?

23 A. No.

24 May I add one thing, here? You asked
25 me about promotion from deputy magistrate to
26 magistrate. On my occasion of going in to
27 see the Attorney-General he told me he had
28 changed his policy, in future no non-lawyer
29 would be promoted to magistrate.

30 Q. Was that at the close of the meeting?





1 A. Yes.

2 Q. The Attorney-General cross-
3 examined you, you suggested?

4 A. Well, I used the word --

5 Q. He questioned you about that, that
6 it may have been someone else, and were you
7 adamant to him that there was no doubt in
8 your mind it was James Maloney?

9 A. Well, I did, myself -- I don't
10 know the word to use here, but I felt slightly
11 intimidated.

12 Q. Humiliated?

13 A. No, I wouldn't say that.
14 Intimidated. There was a feeling of oppression
15 in the room. That was my personal feeling.

16 Q. You were telling tales --

17 A. No, I was just sorry I went in
18 in the first place.

19 Q. You did not get a very sympathetic
20 hearing?

21 A. No.

22 Q. It was suggested this man may
23 have been intoxicated, this was the suggestion
24 to you, and the phone calls were about nine
25 o'clock in the morning?

26 A. I pointed that out to Mr. Roberts.

27 Q. Who brought the subject up
28 about the fact that the Attorney-General
29 had changed his policy, this was at the end of
30 the meeting, and no laymen were to be made

[illegible]



1 magistrates?

2 A. He did.

3 Q. You did not mention anything about
4 that?

5 A. I don't recall mentioning it.
6 It may have arisen in this way: He may well
7 have asked me on that occasion, although I
8 don't recall, he may have asked me how I met
9 Mr. Maloney in the first place.

10 Q. Then, you phoned Mr. Common
11 when you saw Mr. Maloney's statement reported
12 verbatim in the Globe & Mail?

13 A. Yes.

14 Q. And he asked you how the story
15 had got out?

16 A. Yes.

17 Q. Or did you ask him that?

18 A. He asked me.

19 Q. When you left this meeting with
20 the Attorney-General, I take it, you were
21 still very upset?

22 A. By the way, I did call another
23 person that night. I called Mr. Pat Martt
24 and asked him if he would act on my behalf in
25 future if anything happened on this case and
26 he said he would, and I asked him for ~~advice~~
27 advice, "what do I do?".

28 Q. What did you envisage might happen?

29 A. Nothing. I was just upset.

30 Q. Did you have a feeling in leaving

[illegible]



1 that meeting that they were very much annoyed
2 you had reported this matter to them?

3 A. No.

4 Q. Did you ever write out or make
5 a statement for anyone's use in this?

6 A. Yes, the Commissioner.

7 Q. Did you tell, in addition, a
8 number of people about this occurrence because
9 you were upset about it and that something
10 was wrong?

11 A. I believe I told a few of my
12 close friends about it some time after it had
13 appeared in the paper and became rather general
14 knowledge.

15 May I have a glass of water, please?

16 THE COMMISSIONER: Yes, certainly.

17
18 ---A glass of water is provided for the witness.

19 MR. HOGG: Q. The last question, Mr.
20 Thompson: So far as the Courier trial was
21 concerned, was there any discussion about
22 perjury charges in connection with Mr. Gebirtig?

23 A. No. I am not sure that Mr.
24 Gebirtig was a witness at that trial. I
25 recall him as a witness in an earlier trial.
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EXAMINED BY MR. BREVIN:

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2
3 Q. Mr. Thompson, I am particularly
4 interested in what you say was Mr. Common's
5 reaction when you reported this telephone
6 conversation. First of all, I take it you
7 told Mr. Common that Mr. James Maloney had
8 called you?

9 A. Yes.

10 Q. You did not put it someone
11 purporting to be, you told him that Mr. Maloney
12 had called you?

13 A. That is right.

14 Q. And he was annoyed?

15 A. Yes. Well, I got the impression
16 he was.

17 Q. You got the impression he was,
18 and annoyed at Mr. Maloney?

19 A. Yes.

20 C. Not, of course, annoyed at you
21 for telling him about it, but annoyed at Mr.
22 Maloney?

23 A. Well, my impression was that he
24 was interfering a great deal with the Attorney-
25 General's Department.

26 Q. Well, you used the words - I
27 am not sure whether these are the words - I
28 took it down, "He intimated to me Mr. Maloney
29 had been in the hair of the Department"?

30 A. Yes.



INVESTIGATION

1. Name of the person investigated: _____

2. Date of birth: _____

3. Place of birth: _____

4. Date of entry into the country: _____

5. Date of departure from the country: _____

6. Name of the person who provided the information: _____

7. Date of the investigation: _____

8. Name of the person who conducted the investigation: _____

9. Name of the person who reviewed the investigation: _____

10. Date of the review: _____

11. Name of the person who approved the investigation: _____

12. Date of the approval: _____

13. Name of the person who signed the investigation: _____

14. Date of the signature: _____

15. Name of the person who provided the signature: _____

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26. Date of the signature: _____

27. Name of the person who provided the signature: _____

28. Date of the signature: _____



1 Q. Interfering with the Department?

2 A. Yes.

3 Q. In similar matters?

4 A. Yes. I assumed that meant he
5 was calling on behalf of friends, or something
6 of that nature.

7 Q. He was not surprised to hear
8 Mr. Maloney had made this call to you?

9 A. He didn't seem surprised.

10 Q. He implied it had happened
11 before in similar events before?

12 A. I had that definite impression.

13 Q. I suppose you did not -- I
14 do not suppose would have. I suppose you
15 did not ask him about any other occasions?
16 Mr. Common did not enlarge on that at all?

17 A. No.

18 Q. Then, as I understand it, you
19 were told -- Mr. Common advised you could
20 proceed with the case?

21 A. Yes.

22 Q. And, as far as you were concerned,
23 you expected the incident to be closed then?

24 A. Yes.

25 Q. Instead of that you were summonsed,
26 in a sense, to come and see the Attorney-
27 General himself?

28 A. That is right.

29 Q. Was it a week --

30 A. Approximately a week later.





1 Q. Approximately a week later.

2 Who was there at that time?

3 A. Just Mr. Common. I went into
4 Mr. Common's office.

5 Q. And the Attorney-General?

6 A. No. He told me that something
7 had happened, he didn't enlarge on that, and
8 that he thought it necessary we should go in
9 and see the Attorney-General immediately.

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17 (Page 4700 follows)

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Q. And then you did go in?

A. Went right into the Attorney General's Office.

Q. Just the three of you?

A. Only the three of us were there.

Q. And you have already described on this occasion -- did Mr. Roberts ask you to repeat the story?

A. Yes, he did.

Q. He did. You told him, I take it, that Mr. Maloney had called you?

A. Yes.

Q. Mr. James Maloney had called you?

A. Yes.

Q. And you repeated what you told us here?

A. Yes.

Q. And Mr. Roberts' reaction, I take it, was to start -- to put it -- to cross-examine you?

A. No, not exactly. My impression was that he wanted to make absolutely sure, but he did it in a way that I felt ---

Q. Felt intimidated?

A. Almost intimidated, yes.

Q. Yes, almost hostile, he was. Whether that was just his manner or not, but his manner was hostile?

A. Well, I got the impression that this is one of his colleagues on the Cabinet and it



1 couldn't possibly have happened.

2 Q. It couldn't possibly have happened?

3 A. Yes.

4 Q. Did he suggest at all to you that
5 he had spoken or would speak to Mr. Maloney to
6 find out if this had occurred?

7 A. No.

8 Q. You, of course, don't know whether
9 he did any such thing as that?

10 A. No.

11 Q. Or what response he got, if he did?

12 A. No.

13 Q. And apparently you told us that he
14 suggested that Mr. -- whoever called, Mr. Maloney
15 might have been under the influence of liquor?

16 A. Yes.

17 Q. Was there any indication of that
18 at all in the two telephone conversations you
19 have recounted?

20 A. No.

21 Q. I know it is not always possible to
22 tell, but there was nothing in the tone of
23 voice that indicated that to you?

24 A. I hesitate to say this, but at a
25 later date, one of my newspaper friends at
26 Queen's Park said that that would not be
27 abnormal.

28 Q. I see. But I am really asking
29 you about the actual phone conversation. You
30 didn't, from that, think there was any



Statement of Financial Position

Assets	
Current Assets	
Cash	100.00
Accounts Receivable	200.00
Inventory	300.00
Prepaid Expenses	50.00
Other Current Assets	0.00
Total Current Assets	650.00
Non-Current Assets	
Property, Plant, and Equipment	1000.00
Intangible Assets	0.00
Other Non-Current Assets	0.00
Total Non-Current Assets	1000.00
Total Assets	1650.00
Liabilities and Equity	
Current Liabilities	
Accounts Payable	150.00
Short-Term Debt	100.00
Other Current Liabilities	50.00
Total Current Liabilities	300.00
Non-Current Liabilities	
Long-Term Debt	500.00
Other Non-Current Liabilities	0.00
Total Non-Current Liabilities	500.00
Total Liabilities	800.00
Equity	
Common Stock	1000.00
Retained Earnings	0.00
Other Equity	0.00
Total Equity	1000.00
Total Liabilities and Equity	1650.00



1 indication of intoxication?

2 A. No.

3 Q. Well, on the whole, I take it, when
4 you went away you felt that, perhaps, you ought
5 not to have told about this incident, at any
6 rate, or complaining about it, hadn't met with
7 a very happy reception?

8 A. Well, not exactly, Mr. Brewin.
9 Never at any time did I have the feeling I
10 shouldn't have. I was a little sorry I had.

11 Q. I don't mean you shouldn't have by
12 the point of view you had the right, but the way
13 the Attorney General felt?

14 A. Perhaps I was sorry I adopted the
15 procedure I adopted.

16 Q. Did you ever have occasion to speak
17 to the Attorney General since, about the matter?

18 A. No. I have met him since.

19 Q. You have met him since?

20 A. Yes.

21 Q. But you have not discussed this
22 particular matter?

23 A. No. We discussed golf.

24 Q. Golf?

25 A. Yes.

26 Q. It sounds like a fairly harmless
27 subject. Now, just another question I want to
28 ask you. We have had quite a lot of evidence
29 here of various occasions when those connected
30 with this gambling syndicate have made various
presents and so on to people, or tried to make





1 presents to people to influence them in any way.
2 Have you had any experience along that line
3 at all? Have either of these people who act
4 for them or represent them, or any of the
5 syndicate people, themselves, tried to make
6 some sort of present or embarrass you in
7 some way?

8 A. Well, I have had some that tried.

9 Q. Some that have tried. I wouldn't
10 expect they would have succeeded, Magistrate
11 Thompson. Have you any particular case in mind?

12 A. Well, I hesitate to mention this
13 because the person involved is one whom I like
14 very much and I didn't link anything sinister
15 in what happened to it, but there was an occasion
16 when the lawyer in this case ---

17 Q. Well, before you tell us anything
18 about that, perhaps, Mr. Commissioner -- you
19 might speak to the Commissioner and tell him
20 what the incident is to see whether it is something
21 that ought to be pursued.

22 THE COMMISSIONER: I think I know what he
23 has in mind. From the information I have, I don't
24 think there is anything to it.

25 MR. BALWIN: I beg your pardon?

26 THE COMMISSIONER: I don't think there is
27 anything to it. There is nothing sinister about
28 it at all.

29 MR. BRIDGES: If you knew about it, sir, I
30 won't pursue it.



I am very sorry to hear that you are not well. I hope you will soon be able to get back to work. I am sure you will. I am very sorry to hear that you are not well. I hope you will soon be able to get back to work. I am sure you will.



1 THE COMMISSIONER: Q. I have stated that
2 correctly?

3 A. Yes.

4 MR. ROSK: I have no questions.

5
6
7
8 EXAMINER MR. WILSON:

9
10 Q. You have told us there was a denial
11 by Mr. Maloney which appeared in the public
12 press?

13 A. Yes.

14 Q. And you were appointed Deputy
15 Magistrate in November of 1955. You are a
16 layman, not a lawyer?

17 A. Yes.

18 Q. And since November of 1955, has any
19 lay magistrate -- by that I mean a layman who
20 has been appointed Deputy Magistrate, been
21 moved up to the ranks of full Magistrate?

22 A. Yes.

23 Q. There has been?

24 A. Several.

25 Q. In what year?

26 A. I don't recall the year, but one of
27 them was Magistrate Giannelli.

28 Q. Yes?

29 A. Magistrate Mitchell at Guelph. I
30 believe there were one or two up north, but





1 can't recall their names.

2 Q. Were they appointed before you?

3 A. They were appointed Deputy Magistrates
4 before me, yes.

5 Q. Before you. When, then, do you
6 say the change in policy took place?

7 A. Well, there was rumours of this change
8 of policy.

9 Q. When did rumours of the change in
10 policy first come to your attention?

11 A. About two and a half years after my
12 appointment.

13 Q. That would be, say, in 1958?

14 A. Yes.

15 Q. And that would be, I take it, long
16 before this incident you speak of?

17 A. Yes. I had gone to see the Attorney
18 General in November, I believe it was, of 1957,
19 a little more than two years after my appointment,
20 on the advice of some lawyers who have been
21 instrumental in getting my appointment in the
22 first place. They suggested to me the proper
23 procedure in my case would be to go and ask
24 myself, and I did.

25 Q. You did that in 1957?

26 A. Yes.

27 Q. Who did you see at that time?

28 A. The Attorney General.

29 Q. The Attorney General. And what did
30 he inform you about policy at that time?



THE UNITED STATES OF AMERICA

IN SENATE

January 1, 1900

REPORT

OF THE

COMMISSIONERS OF THE GENERAL LAND OFFICE

IN RESPONSE TO A RESOLUTION OF THE SENATE

PASSED MAY 1, 1899

AND A RESOLUTION OF THE HOUSE OF REPRESENTATIVES

PASSED MAY 1, 1899

AND A RESOLUTION OF THE HOUSE OF REPRESENTATIVES

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AND A RESOLUTION OF THE HOUSE OF REPRESENTATIVES

PASSED MAY 1, 1899

AND A RESOLUTION OF THE HOUSE OF REPRESENTATIVES



1 A. He said he only made increases or
2 appointments or promotions on representations
3 of others, and this was his policy, and that I
4 was to go and get a reputation for myself and
5 to get representations on my behalf. I was a
6 little surprised at this, so I went back to
7 my friends, including Mr. Arthur Maloney, and
8 including John Robinette, John D. Arnup, Cardinal
9 McGuigan, Mr. Justice Stewart and a number of
10 others. Most of them, to my knowledge -- Dave
11 Walker was another -- wrote letters to the
12 Attorney General. I then had a telephone
13 call from a member of the Legislature, I think
14 he is head of the Liquor Board, Mr. Allan Grossman,
15 and he asked me to call off my campaign. He
16 said the Attorney General was very annoyed
17 with me. About two weeks after that I got a
18 telephone call from Mr. Art Michel, the Assistant
19 Executive Attorney General, who said the Attorney
20 General had asked him to call me on his behalf
21 and he was very ~~sorry he could not~~ ^{sorry he could not} accede to my
22 request and he was going to give me \$500 increase.

23 Q. Did he say why he was annoyed with
24 you?

25 A. No, he just passed on the remarks.

26 Q. Since that time has, to your knowledge,
27 any other lay Magistrate been appointed to the
28 full post or full rank of Magistrate?

29 A. I don't believe so.

30 Q. You don't believe so. So you were not

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1 too happy about that result, I take it?

2 A. Well, I wasn't happy in the first
3 couple of years about this because at that
4 time, according to The Magistrates Act, Deputy
5 Magistrates had no security. It didn't
6 matter how long they were in office, they could
7 be fired or dismissed on a moment's notice.

8 Q. Have the provisions as to security
9 changed?

10 A. Yes, they have changed since then.

11 Q. Thank you.

12 A. That was the reason why the members
13 were concerned and Magistrate Elmore took this
14 up with the Attorney General.

15 Q. At all events, since the time the
16 Attorney General told you, through Mr. Nichol,
17 he was sorry he couldn't do anything about
18 appointing you to the full rank of Magistrate,
19 there have been no others appointed who are
20 in the same position you are in?

21 A. Not to my knowledge.

22 MR. WILSON: All right, thank you.

23
24 ---The witness retires.

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28 MR. HOGG: Before Mr. Wilson calls his
29 next witness, I noticed you asked Magistrate
30 Thompson whether Joseph McDermott was in Court





1 at this occurrence, and I see Magistrate Addison
2 is still in Court, and I think he is quite able,
3 and I am quite sure he is a person who can tell
4 us whether Joseph McDermott was at that third
5 Court trial.

6 THE COMMISSIONER: Do you want to ask him?

7 MR. HOGG: Yes, since he is here.

8 THE COMMISSIONER: All right, Magistrate
9 Addison.

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15 JOSEPH ADDISON, recalled,

16 THE COMMISSIONER: You are still under oath.

17 THE WITNESS: Yes, sir.

18
19 EXAMINED BY MR. HOGG:

20 Q. You recall this third Finnish trial
21 you presided over when John Pleschuk was charged?

22 A. Yes, I do.

23 Q. Do you recall whether or not Joseph
24 McDermott was sitting in the back of the courtroom?

25 A. He was sitting in the last seat of
26 the courtroom.

27 Q. And did you reach a conclusion,
28 based on the evidence, that Pleschuk was nothing
29 but a front for McDermott or somebody?

30 A. I assumed ---



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1 THE COMMISSIONER: Just a moment. He wasn't
2 asked to reach a conclusion on that.

3 MR. HOGG: Perhaps I could ask the Magistrate
4 this question. Did you reach that conclusion, sir?

5 THE COMMISSIONER: Well ----

6 MR. HOGG: Q. In your judgment?

7 A. In my judgment I stated that it was
8 obvious that Mr. Pleschuk was a stooge for
9 somebody. I think the record would indicate
10 that. I think it was Mr. Humphrey's argument,
11 and I think it was that Mr. Pleschuk had recently
12 left the Army or had been in the Army and didn't
13 have a great deal of money and couldn't have
14 set up the elaborate club that had been set up,
15 and it was a reasonable inference that some one
16 else was the man in charge permanently, as
17 opposed to temporarily. In other words,
18 Pleschuk was the steward or the flunky, as you
19 would call him, Mr. Hogg. Some one else was
20 getting the profits. I think I commented at
21 the time or at the trial that if I couldn't get
22 to the top man, I had to take what I could get
23 which, in this case, was Pleschuk.

24 THE COMMISSIONER: Do you want to ask any
25 questions?

26 MR. ROSE: No questions, sir.

27
28 ---The witness retired.
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1 MR. WILSON: I will call Sergeant Rawlings.

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FREDERICK MURRAY RAWLINGS, called.

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MR. BREWIN: Before my friend proceeds with this witness, I would like to ask for the future to be -- counsel to be informed some time in advance the witnesses that are proposed to be called. It is pretty hard for us to be useful when we don't know anything about them.

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THE COMMISSIONER: I had thought that Mr. Wilson was informing you from time to time.

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MR. BREWIN: He does, occasionally.

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---The witness was sworn.

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EXAMINED BY MR. WILSON:

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Q. You are a member of the Ontario Provincial Police which, I believe, you joined in 1941?

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A. Yes, sir.

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Q. And during the period from June 2nd, 1962, to December 1st, 1960 -- this can't be right.

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What was the period during which you were stationed at Peterborough in District No. 8?

93

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95

A. I went to Peterborough about the middle of June in 1950 and I was transferred





1 there on the 5th of December, I believe it was,
2 1960.

3 THE COMMISSIONER: Q. You went there in
4 June, 1950, and transferred there in 1960?

5 A. Transferred from there, my lord.

6 Q. I see. So you were in Peterborough
7 from June, 1950, until when?

8 A. I believe it was the 5th of December,
9 1960.

10 MR. WILSON: Q. Now, Inspector Stringer
11 was in charge of District No. 3 in 1958?

12 A. Yes, he was, sir.

13 Q. And 1959?

14 A. Yes, sir.

15 Q. Now, do you recall a request from
16 Inspector Stringer, in February of 1959, to
17 pick up something for him in Toronto from
18 Sergeant Anderson?

19 A. Yes, sir.

20 Q. Do you know the exact date of that?

21 A. No, I do not.

22 Q. I think it has been mentioned here
23 as being February the 12th, 1959, and apparently
24 the story was that you were coming to Toronto,
25 primarily for the purpose of picking up a new
26 car for the District?

27 A. I don't know, sir, what I was coming
28 to Toronto for, but I know I came down one day
29 with my wife, on my day off, and I was into
30 Headquarters.



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1 Q. Now, what did Inspector Stringer
2 ask you to get from Sergeant Anderson?

3 A. To the very best of my recollection, he
4 asked me to stop in and see Sergeant Anderson
5 at the anti-gambling squad and pick up a parcel
6 for him, that the Sergeant would know about it.

7 Q. Is that all he said to you?

8 A. Yes, sir.

9 Q. And did you carry out those
10 instructions?

11 A. I did, sir.

12 Q. And what did you say to Sergeant
13 Anderson when you saw him at Headquarters?

14 A. I advised him that Inspector Stringer
15 had asked me to come in and pick up a parcel.
16 Sergeant Anderson made some excuse, either it
17 wasn't ready or he didn't have it. That is
18 all there was to it. I went back home and
19 reported to Inspector Stringer that I was not
20 able to get the parcel for him. And that ended
21 it as far as I was concerned.

22 Q. Now, at page 2531 of the transcript
23 of the evidence, Inspector Stringer was giving
24 evidence and was asked this question at line 9:

25 "On February 12th, 1959, did you instruct
26 "one of your officers -- I think it was
27 "Corporal Rawlings -- to go to Anderson
28 "and get that brief back?

29 "A. Not exactly in those words. This
30 "is what I did; Corporal Rawlings was





1 "coming into Toronto for a new car. I
2 "asked him to drop in and see Sergeant
3 "Anderson and if the brief had served
4 "its purpose, that I would like to have
5 "it back, or if they had any further
6 "use of it I would like a copy of that
7 "part pertaining to raids and what to
8 "look for."

9 Now, what is your comment on that answer
10 as given by Inspector Stringer?

11 A. That is not my recollection at all,
12 sir. I don't think it was ever called a brief,
13 to me.

14 Q. Your recollection is as you have
15 given it in evidence here to-day?

16 A. That is right, sir.

17 THE COMMISSIONER: Q. To summarize; he
18 didn't identify the parcel that you were to get?
19 What it was?

20 A. No, sir, I don't believe he did.

21 Q. Is there any doubt in your mind
22 about it?

23 A. There is no doubt in my mind, sir.
24 I think if he had said "brief", perhaps my
25 curiosity might have been aroused, and it
26 certainly was not. I never thought of the
27 incident again after I went home, until a
28 little over a year ago.

29 THE COMMISSIONER: Is that all?

30 MR. WILSON: Q. Did he discuss that incident



I have been thinking about you a great deal lately. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends. I hope you are doing well.

Yours truly,

I have been thinking about you a great deal lately. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends. I hope you are doing well.

I have been thinking about you a great deal lately. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends. I hope you are doing well.

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1 with you after that time? That is, Inspector
2 Stringer?

3 A. No, sir, he did not.

4 Q. Now, you recall a discussion in the
5 Force about a possible tip-off in connection
6 with a raid that was to have been made in the
7 Hamilton district?

8 A. Do I recall a discussion?

9 Q. Yes, among members of the Force?

10 A. Yes.

11 Q. Do you recall the incident?

12 A. Yes, I do.

13 Q. Now, Inspector Stringer, at page 2807,
14 was asked how he had heard about any suggestion
15 of a tip-off, and at line 15 of page 2807, his
16 answer, in part, is this:

17 "It is quite a few years ago. I don't
18 "know how I heard it, possible Corporal
19 "Rawlings told me at the time, but I
20 "don't recall he did, but he did say
21 "on his return that the anti-gambling
22 "squad felt that there had been a tip-off."

23 Now, what is your recollection of what
24 Inspector Stringer has stated in his evidence
25 about that matter?

26 A. If I mentioned it to him in those
27 terms, it was because I think every one there
28 that night felt there must have been a tip-off,
29 and it was more or less common talk among us.

30 Q. Well, have you any distinct memory



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1 of whether you did or didn't tell him about the
2 tip-off rumours, when you returned from that
3 particular mission?

4 A. No, I don't think I did. I reported
5 back to him and told him there had been no raid.
6 It was called off.

7 MR. WILSON: Thank you.

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9
10
11
12
13 EXAMINED BY MR. HEDG:

14 Q. Are any of those matters recorded
15 in your diary, that you mentioned to-day?

16 A. The going on the raid?

17 Q. Yes.

18 A. Yes, it was.

19 Q. And the rumours about the tip-off?

20 A. Oh, no.

21 THE COMMISSIONER: Mr. Brown?

22
23
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26 EXAMINED BY MR. BROWN:

27
28 Q. Well, there is some statement given
29 that it was suspected Inspector Stringer had
30 something to do with the tip-off. Did you ever



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1 hear anything of that sort?

2 A. No, sir, there was no one mentioned.

3 Q. No one mentioned?

4 A. No. It was just felt among the men,
5 I think, that there must have been something
6 happened because we were all sent home and
7 there was no raid.

8 MR. BREWSTER: I think that is all, thank you.

9 MR. ROSE: No questions, thank you.

10 THE COMMISSIONER: That is all, thank you.

11 ---The witness withdrew.
12
13
14

15 Q MR. WILSON: My next witness is Inspector
16 Ramsbottom.

17 THE COMMISSIONER: Well, he will be some
18 time, I take it?

19 MR. WILSON: He will take a few minutes.

20 THE COMMISSIONER: It is 5.00 o'clock.

21 MR. WILSON: Yes.

22 ---Whereupon the hearing adjourned at 5.00 p.m.
23 until Tuesday, May 15, 1968, at 10.00 a.m.
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IN THE SUPREME COURT OF ONTARIO

BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton, in the
County of Hastings, Deceased, and
WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.



File Copy

Volume No.

23

Royal Commission on Crime,

Tuesday May 15/62.

P.P. 4717 — 4922.

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Testament of Dorothy Margaret Brown,
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County of Hastings, Deceased, and
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HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

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and WILLIAM JOHN BROWN,

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HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff, - and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.





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148	4728	Clipping from Globe and Mail dated June 20th, 1961, and copy of letter, attached to clipping, dated June 2nd, 1961.
149	4824	Report dated January 17th, 1957 from Corporal Shrubbs to Sergeant Anderson.
150	4870	Bell Telephone Company credit card relating to J.B. McDermott.
151-A	4913	Letter dated May 8th, 1957 from E.V. McNeill to the District Inspector, O.P.F.
151-B	4913	Letter dated May 9th, 1957 from Inspector Ramsbottom to the Commissioner, O.P.F.
152	4915	Letter dated July 12th, 1957, from Inspector Ramsbottom to Sergeant J.H. Hatch.



A/SCW/1

TUESDAY, MAY 15, 1962

---On resuming at 10.10 a.m.

MR. WILSON: Call Chief Constable Scrubb. Mr. Commissioner, the witness is missing for the moment.

I have here a statement that was made by the late James A. Maloney. It was just handed to me by Mr. Common, and I haven't had a chance to read it myself.

THE COMMISSIONER: That is the one that was published.

MR. WILSON: Yes, this was published. I am not sure whether it covers the incident we were dealing with yesterday.

THE COMMISSIONER: Well, what happened to this statement?

MR. WILSON: I was advised that it was given by the late Mr. Maloney to the Attorney General, and it has been produced to me by Mr. Common from their files. It might be just as well for me to read it. It was just handed to me. I will read it:

"STATEMENT OF THE HONOURABLE

"JAMES A. MALONEY, Q.C., M.P.P.

"There have been statements and
"instructions made relative to an
"Ontario Minister of the Crown who
"was linked with organized crime. I
"have had no doubt that these unjust



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1 "insinuations were directed at me and
2 "at a time when because of proceedings
3 "pending in court I was precluded from
4 "saying anything other than making a
5 "general denial when questioned by
6 "the press in common with other Cabinet
7 "Ministers, when I denied any such
8 "connection. These stories and
9 "insinuations have, as is usually the
10 "case with gossip and in this case
11 "unfounded gossip, the tendency to grow
12 "into additional distortions. No one
13 "has dared to say these things in
14 "public about me, but have been content
15 "to insinuate and suggest and wait a
16 "privileged occasion which involve no
17 "risk from a legal standpoint.

18 "I have been anxious and have
19 "fretted to make a full statement but
20 "have been precluded from doing so
21 "since I would have been in contempt
22 "of court. It will be recalled that
23 "at that time the trial on charges of
24 "conspiracy of certain persons was
25 "about to commence.

26 "This trial has now been concluded
27 "and I see no reason in all justice why
28 "I should not make a full statement.
29 "My brother, Arthur Maloney, Q.C.,
30 "was able to make a statement in both



1 "court and the House of Commons.

2 "The apparent source of the stories
3 "about myself is a diary or notebook that
4 "was kept by Provincial Police Officer
5 "Scott, who was called as a Crown
6 "witness at the trial, in which he
7 "purported to make notes of conversations
8 "which he alleges he had with certain
9 "accused persons. Those statements
10 "were largely hearsay statements,
11 "repeating what these accused persons
12 "were said to have heard.

13 "At the time of the preliminary
14 "enquiry into the charges, the press
15 "covering the proceedings reported on
16 "March 22nd last that Officer Scott
17 "had testified that he had been
18 "informed by one of the accused, that
19 "a certain brief involving a Club
20 "known as the Ramsay Club in Niagara
21 "Falls, after having been prepared by
22 "a group of lawyers, was submitted to
23 "my brother, Arthur, who in turn
24 "submitted it to me and that I was
25 "then supposed to have passed it on
26 "to an inspector of the Ontario
27 "Provincial Police, who was said to
28 "have given it to a sergeant of the
29 "Anti-Gambling Branch.

30 "At the time of this publicity



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1 "I was ill, but was in communication with
2 "my brother, Arthur, who subsequently
3 "appeared in Court with leave of the
4 "presiding Magistrate and on his own
5 "behalf and on my behalf, denied, as
6 "is the fact, that either he or I had
7 "ever seen or heard of the brief in
8 "question. I should add further that
9 "prior to the publicity given to the
10 "preliminary enquiry I had never even
11 "heard of the existence of the Ramsay
12 "Club.

13 "As a matter of fact, Crown Counsel,
14 "after my brother's statement in court,
15 "subsequently confirmed that it was
16 "not any part of the Crown's case that
17 "either my brother or I were in any way
18 "implicated in the case and that the
19 "conflicting stories in his possession
20 "as to how the brief got into the
21 "hands of the O.P.P. inspector did
22 "not confirm the statement attributed
23 "to the accused person, that the
24 "brief never was in my hands or in the
25 "hands of my brother.

26 "Subsequent investigation showed,
27 "as my brother pointed out in his
28 "statement in the House of Commons on
29 "March 27th, that his name was not
30 "even referred to in the officer's





1 "diary and the reference was to 'Jim Malone']
2 "which has been insinuated was myself.

3 "This is completely untrue and unfounded.

4 "Appropriate apologies were sub-
5 "sequently made by the Canadian Press
6 "and the affiliated newspapers.

7 "There is apparently also a note
8 "in the diary to the effect that a high
9 "ranking police officer received money
10 "from one of the accused in return for
11 "certain information, and that on one
12 "occasion a sum of money was paid to
13 "the officer in question at a party
14 "at which it was alleged I was present.

15 "The fact is that while I have met
16 "the officer in question, I have never
17 "had any acquaintanceship with him
18 "whatsoever and I have never been present
19 "at a party with him or was a witness
20 "on any occasion when he was the recipient
21 "of any money. It follows, therefore,
22 "that if in fact this statement was made
23 "by any of the accused to Officer Scott
24 "it is completely without foundation.
25 "This is completely unfounded and
26 "malicious gossip. As I have said, no
27 "one has dared to say these things in
28 "public about us but have been content
29 "to insinuate and suggest and wait a
30 "privileged occasion which would involve



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1 "no risk from a legal standpoint.

2 "Another series of unfounded stories
3 "and insinuations arises from the fact
4 "that Messrs. McDermott and Feeley had
5 "an interest in certain mining claims
6 "known as Krno Mines Limited, located
7 "in North Western Ontario in the Big
8 "Duck Lake area and it followed,
9 "therefore, that they were required
10 "to have dealings with the Department
11 "of Mines, of which I am the Minister.
12 "They were bound by the same regulations
13 "that affect everyone who has dealings
14 "with my Department and received, as
15 "was the right of anyone who had dealings
16 "with my Department, those facilities
17 "that are available to anyone interested
18 "in the development of property in
19 "this Province for mining purposes.
20 "A check with the officials of my
21 "Department shows that in their
22 "dealings with my Department they were
23 "treated in the same way as anyone
24 "would be. They were given no special
25 "consideration in any way. Their
26 "dealings with the Department were
27 "routine proceedings as the record
28 "will show, which are common to very
29 "many mining claims.

30 "while it is true that statements



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1 "in Officer Scott's notebook or diary
2 "are not admissible evidence in respect
3 "to me or to anyone else who may be
4 "named therein, the fact is that
5 "according to my information such
6 "contents have been divulged by
7 "officers connected with the inves-
8 "tigation or prosecution of the
9 "charges against the three accused,
10 "and I feel it my duty, notwithstanding
11 "their inadmissible character, to make
12 "this statement in relation to this
13 "type of gossip which is completely
14 "unfounded as far as I am concerned
15 "and which has been bandied about in
16 "a way calculated to hurt and harm me.

17 "It has further been suggested,
18 "according to information brought to
19 "my attention, that I am alleged to
20 "have communicated with a magistrate
21 "for the purpose of attempting to
22 "influence him as to a decision he
23 "should reach in a gaming house case
24 "which was before him for trial.

25 "The fact is I never at any
26 "time communicated directly or indirectly
27 "with any magistrate with a view to
28 "influencing him to decide any case
29 "of any nature whatsoever.

30 "May I say that I am not one of



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1 "the members of Government directly
2 "charged with the administration of
3 "justice, other than as a member of the
4 "Executive Council. I point out,
5 "however, that as a Barrister and
6 "Solicitor and a Queen's Counsel, I
7 "have responsibility to my profession
8 "which I have jealously sought to
9 "maintain. I also have a duty as a
10 "public man which I hold highly. I
11 "have protected or sought to protect
12 "no one. I have never attempted to
13 "pervert the course of Justice. I
14 "have never used any influence I
15 "possess to this end. In both public
16 "life and private practice I have
17 "endeavoured to uphold as best I could
18 "British fair play and justice and I
19 "deeply resent the unfounded and unfair
20 "gossip which might lead people to
21 "believe otherwise.

22 "James A. Maloney"

23 Now, Mr. Common asked that we file a
24 photograph of that, rather than the original.

25 It is my submission, Mr. Commissioner ---

26 MR. HOGG: My information is that this
27 original of the statement, on June 19th, 1961,
28 was sent by the Honourable James Maloney, the
29 Minister of Mines, with a covering letter, to
30 the Globe & Mail. On June the 20th, that is





1 the following day, the Globe & Mail printed this
2 statement verbatim, and the original has been
3 chopped up, as is required, when a statement
4 of that sort is printed in the paper, and no
5 doubt ----

6 THE COMMISSIONER: What was that -- what
7 has been chopped up? What do you mean by that?

8 MR. HOOD: Used as set type, and no
9 doubt it was a copy that was sent that day,
10 on the later date, to the Attorney General.

11 THE COMMISSIONER: I have the original
12 here.

13 MR. WILSON: You have the original.
14 This was just handed to me just now, as I came
15 into the room here, and I understood it came --
16 this statement had been given directly by the
17 late Mr. Maloney to the Attorney General. I
18 am now informed that it comes from the present
19 Minister of Mines to the Attorney General. In
20 other words, it was in the files of the
21 Department of Mines.

22
23 (Page 4726 follows)
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1 MR. WILSON: It is a duplicate original,
2 as I recall it.

3 THE COMMISSIONER: This has what appears
4 to be an original signature.

5 MR. WILSON: Unless my friends have
6 any objection, we will put in a photostat of
7 that.

8
9 ---EXHIBIT NO. 147: Statement from the late
10 Right Honourable James
11 Maloney, Q.C., later printed
12 in the Toronto Globe and Mail.

13 MR. WILSON: I will have to proceed
14 with another witness under the circumstances.

15 THE COMMISSIONER: Let me understand
16 a little more about this statement, the original
17 of which - of which a photostatic copy has been
18 filed. Do I understand you to say that it was
19 found in the files at the Department of Mines?

20 MR. WILSON: Yes.

21 THE COMMISSIONER: After Mr. Maloney's
22 death?

23 MR. WILSON: That is what I am advised,
24 Mr. Commissioner.

25 THE COMMISSIONER: And then it reached
26 the Attorney General's Department from the
27 Department of Mines?

28 MR. COMMON: From the present Minister.

29 THE COMMISSIONER: From the present
30 Minister of Mines. So much for that! And
then the statement which was published in the



1. The first thing I noticed when I stepped out of the plane was the cold air.

2. It felt like I had been thrown into a freezer.

3. The ground was covered in a thick layer of snow, and the trees were bare.

4. I had never seen so much snow before, and it was beautiful.

5. The snow was so deep that I had to use my skis to get around.

6. I had heard that the snow was bad, but I didn't realize it would be this bad.

7. The snow was so deep that I had to use my skis to get around.

8. I had heard that the snow was bad, but I didn't realize it would be this bad.

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25. The snow was so deep that I had to use my skis to get around.



1 Globe; what date was it published and perhaps
2 we could get the copy of what was published in the
3 Globe and Mail.

4 MR. HOGG: This might be of some
5 assistance, Mr. Commissioner. I do not wish to
6 file that, but I made the statement of what
7 that contained. (Indicating)

8 You will notice that the letter is
9 dated June the 19th, and Mr. Maloney sent down
10 the original, I am advised, to the Globe and
11 Mail, and it was published the following morning.
12 Now, I have here a newspaper clipping; these
13 are from the files, and should Mr. Wilson wish
14 to have a copy, I wonder if he could have this
15 photostated, and let us have this one back.
16 This is a verbatim account, from the Globe and
17 Mail.

18 THE COMMISSIONER: Why not attach the
19 letter, dated June the 2nd, 1961, to the clipping
20 from the Globe and Mail of June the 20th, 1961,
21 and put them in together as Exhibit 148?

22 MR. HOGG: I wonder if photostats
23 could not be made of that?

24 THE COMMISSIONER: You could arrange
25 to have these photostated?

26 MR. WILSON: Yes.

27 THE COMMISSIONER: It does not matter
28 whether you get the photostats or the original
29 back, does it? The clipping, and this thing;
30





1 they will be Exhibit 148.

2
3 ---EXHIBIT NO. 148: Clipping from Globe and
4 Mail, dated June 20th, 1961,
5 and copy of letter, attached
6 to clipping, dated June 2nd,
7 1961.

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MR. WILSON: I will call Mrs. Costello.



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THE MONUMENTS MEN

THE MONUMENTS MEN
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1
2 MRS. HELEN MARY COSTELLO, sworn:

3
4 EXAMINED BY MR. WILSON:

5
6 Q. You reside in Port Credit?

7 A. Yes sir.

8 Q. And you have lived there for
9 some years?

10 A. Yes.

11 Q. And you work in a drug store
12 in that area?

13 A. Yes.

14 Q. And have worked there for some
15 years?

16 A. Yes.

17 Q. Now, in 1958, where did you
18 live?

19 A. 5 Woodlawn Avenue.

20 Q. 5 Woodlawn Avenue. You will
21 have to speak up; in Port Credit?

22 A. Yes.

23 Q. Was that a house?

24 A. An apartment house.

25 Q. An apartment house?

26 A. Yes.

27 Q. And did you live with anybody
28 else at that time?

29 A. No.

30 Q. You were living alone, at an



MEMORANDUM FOR THE RECORD

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H.M. Costello

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1 apartment, at that address?

2 A. Yes sir.

3 Q. And what was your telephone
4 number in 1958?

5 A. Crescent 8-2538.

6 THE COMMISSIONER: Crescent what?

7 THE WITNESS: Crescent 8-2538.

8 THE COMMISSIONER: Were you working
9 at the time?

10 THE WITNESS: Yes sir.

11 THE COMMISSIONER: And there would not
12 be anybody at home, while you were working?

13 THE WITNESS: No.

14 MR. WILSON: Q. Did you work regular
15 hours, in this drug store?

16 A. Yes.

17 Q. I mean, the same hours each
18 day?

19 A. Yes.

20 THE COMMISSIONER: What were they?

21 THE WITNESS: They are rather
22 varied in a drug store; I work three nights
23 a week, and I am off three nights a week, and
24 on the weekend - - -

25 THE COMMISSIONER: Did you work all
26 day?

27 THE WITNESS: Yes.

28 THE COMMISSIONER: Just a moment; that
29 would be Monday, to Saturday?

30 THE WITNESS: And alternate Sundays.



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THE COURT OF THE LORDS OF THE KINGDOM OF GREAT BRITAIN

IN THE MATTER OF THE ESTATE OF

JAMES WILSON, DECEASED

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THE COURT OF THE LORDS OF THE KINGDOM OF GREAT BRITAIN

JAMES WILSON, DECEASED

THE COURT OF THE LORDS OF THE KINGDOM OF GREAT BRITAIN

IN THE MATTER OF THE ESTATE OF

JAMES WILSON, DECEASED



1 MR. WILSON: Could I have Exhibit 121?
2 (Handed to learned counsel)

3 THE COMMISSIONER: And also you say,
4 three nights a week?

5 THE WITNESS: Yes.

6 THE COMMISSIONER: All right.

7 MR. WILSON: Q. What was your
8 telephone number there?

9 A. Crescent 8-2538.

10 Q. Now, I show you a list of
11 telephone calls; long distance calls from that
12 number, from the period from May to June of
13 1958. Do you know anything about them?

14 A. No sir.

15 Q. As shown here, on Exhibit 121?

16 A. No.

17 Q. You know nothing about them?

18 Now, can you tell us how all these calls would
19 be made, and you would have no personal knowledge
20 about them?

21 A. A friend of mine asked me if
22 my phone number could be used for long distance
23 calls.

24 Q. And who was that friend?

25 A. Jack Lafrade.

26 Q. Jack Lafrade?

27 A. Lafrade.

28 Q. Where did he reside at that
29 time?

30 A. New Toronto.



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and in the lawns

and in the streets

and in the squares

and in the circles

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and in the diamonds

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and in the hexagons

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1 Q. In New Toronto? How long
2 had you known him?

3 A. About 18 years.

4 Q. To the best of your recollection,
5 when was that arrangement made?

6 A. Do you mean the date?

7 Q. Well, approximately the
8 month?

9 A. I would say round May or June.

10 Q. Of - - -

11 A. I am not too sure.

12 THE COMMISSIONER: Of what year?

13 THE WITNESS: Of 1958.

14 MR. HOGG: Mr. Commissioner, if Mr.
15 Lafrade is in Court, I wonder whether he could
16 be excluded.

17 THE COMMISSIONER: Is Lafrade in the
18 Courtroom?

19 MR. WILSON: He is in the building,
20 but he is not in the Courtroom. He is going
21 to be called as a witness.

22 THE COMMISSIONER: What did he ask
23 you?

24 THE WITNESS: He asked me if my phone
25 number could be used for some long distance
26 calls, for a friend of his.

27 THE COMMISSIONER: For a friend of his?

28 THE WITNESS: Yes.

29 MR. WILSON: Q. What did you under-
30 stand was the purpose of this arrangement?



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A. I really did not know.

Q. Well, did you have any knowledge as to who might be using it, and for what purpose?

A. No.

Q. And at the end of each month what would happen when the bills came in?

A. I would give them to Jack.

Q. And he would pay them? Or you do not know?

A. I do not know sir.

Q. In other words, you did not have any further request for payment from the Bell Telephone Company?

A. No sir.

Q. And this arrangement lasted for how long?

A. I would say three or four months.

Q. What brought it to an end?

A. Nothing that I know of.

Q. Yes; and who was Lafrade's friend that he wanted it for? Do you know?

A. The only person who was mentioned was a man called Ginsey.

Q. Was he a bookmaker?

A. Yes, I think so.

Q. Do you know how to spell Ginsey?

A. I do not know.



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H.M.Costello

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1 Q. Were you present when any
2 of these calls were made?

3 A. Any calls were not made from
4 my phone.

5 Q. I see. So, all that they
6 had to do was to phone from another phone, and
7 charge the call to Crescent 8-2538?

8 A. That is right.

9 Q. So that at no time did you
10 have any knowledge of the actual call going
11 through?

12 A. That is correct.

13 MR. WILSON: That is all, thank you.

14 THE COMMISSIONER: Are there any
15 questions?
16

17
18
19
20 EXAMINED BY MR. HOOB:

21
22 Q. What did you know Jack
23 Lafrade's occupation to be, Mrs. Costello?

24 A. I believe Jack was in the
25 real estate, at that time.

26 Q. Did you not think this was
27 extremely odd? When he wanted to charge
28 telephone calls to your number?

29 A. No. I was not home all day;
30 my phone was free all the time.





1 Q. But did not he give any
2 reason?

3 A. No.

4 Q. Well, didn't you ask him:
5 "Why don't you charge them to your own number?"

6 A. No, I did not. He just
7 asked me and I did it as a favour to him.

8 Q. You did not think there was
9 anything odd about it?

10 A. No.

11 THE COMMISSIONER: Nothing unusual
12 about it?

13 THE WITNESS: No.

14 THE COMMISSIONER: You could have
15 said: "Why don't you use your own phone?"

16 THE WITNESS: No. I did not know
17 he had a phone, actually.

18 THE COMMISSIONER: You said he was
19 in the real estate business.

20 THE WITNESS: I suppose he was,
21 but I don't know that he had a phone; a phone
22 he could use. He was living at home, and
23 my phone was free.

24 THE COMMISSIONER: I beg your pardon?

25 THE WITNESS: He was living at home,
26 and my phone was free.

27 THE COMMISSIONER: Could he not have
28 a phone at home?

29 THE WITNESS: His parents were there.

30 THE COMMISSIONER: He had a phone in



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1 the house where he was living?

2 THE WITNESS: Yes.

3 THE COMMISSIONER: And you did not say
4 to him: "Why don't you use your own phone?"

5 THE WITNESS: No, I did not.

6 THE COMMISSIONER: Or ask him,
7 use
8 why he wanted to use your own?

9 THE WITNESS: Well, he told me when he
10 said this man wanted to use it for some long
11 distance calls; that is it. And I did not
12 ask any further.

13 THE COMMISSIONER: You knew Lafrade
14 pretty well, didn't you?

15 THE WITNESS: Yes sir.

16 MR. HOGG: Q. You had known him
17 for 18 years?

18 A. Yes sir.

19 Q. As far as you were concerned,
20 he was in the real estate business?

21 A. Not all the time, no.

22 Q. What was he doing? That was
23 the question.

24 A. At that time?

25 Q. He was a good friend of yours?

26 A. He was in real estate.

27 Q. Did he have an office?

28 A. No.

29 Q. Did you ever telephone him
30 at his home, or his place of business?



Dear Sir,

I am writing to you

in regard to the matter

which you have referred to me

and which I am now

dealing with.

I am sorry that I cannot

give you a more definite

reply at this time.

I am sure that you will

understand my position.

I am sure that you will

be satisfied with the

arrangement.

I am sure that you will

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A. At his home, yes.

Q. Did you ever go out with him?

A. Yes.

Q. Wouldn't you be a little interested in what business he was in?

A. Yes.

Q. If he had an office? And what is the basis, Mrs. Costello, for your saying that he was in the real estate business?

A. Well, that is what I understood: That he was in the real estate business.

Q. Working for whom?

A. Working for himself.

THE COMMISSIONER: He lived with his parents, did he?

THE WITNESS: Yes, my lord.

MR. HOGG: Q. You do not know what office he was supposed to be in? Did you know where his office was?

A. No.

Q. In the west end of the City?

A. No.

Q. Or did he have an office?

A. He did not have an office.

Q. Did he ever discuss any business deals? Any house he had sold with you?

A. Jack and I never discussed his business.

Q. Did you ever meet Feeley?





1 Vincent Feeley?

2 A. No sir.

3 Q. Did Lafrade ever talk to
4 you about Feeley or McDermott?

5 A. No sir, not that I recall.

6 Q. I beg your pardon?

7 A. Not that I recall.

8 Q. Wasn't he bragging about his
9 connections with the big-time gambler?

10 A. No.

11 Q. You have lived in the west
12 end for how long?

13 A. In Port Credit?

14 Q. Yes?

15 A. I have lived there all my
16 life.

17 Q. You knew who McDermott and
18 Feeley were? You had heard the name?

19 A. Yes.

20 Q. Everybody in Port Credit knew
21 that?

22 A. That is right.

23 Q. Did you know Lafrade was
24 connected with the Vets Club?

25 A. I did not know that.

26 THE COMMISSIONER: You say everybody
27 in Port Credit knew about McDermott and Feeley?

28 THE WITNESS: Pretty well, I suppose.

29 THE COMMISSIONER: As what?

30 THE WITNESS: As regarding the Vets Club.





1 MR. HOGG: Q. Not only that, but
2 if anybody got into trouble in the west end of
3 the City, or wanted advice along a quasi
4 criminal way, McDermott and Feeley were the
5 men to see?

6 A. I really don't know sir;
7 I did not know McDermott or Feeley.

8 Q. Did you know that Lafrade
9 had ever been in Court, and charged or convicted
10 of any offences?

11 A. Not to my knowledge. Not
12 that I know of.

13 Q. Did he ever discuss anything
14 like that with you?

15 A. Not that I know of, no.

16 THE COMMISSIONER: I am still
17 wondering; everybody in Port Credit knew of
18 McDermott and Feeley in connection with the
19 Vets Club?

20 THE WITNESS: Yes.

21 THE COMMISSIONER: What was everyone
22 in Port Credit thinking was the Vets Club?

23 THE WITNESS: They knew it was a club
24 in Port Credit, and it had been raided, and it
25 was in the papers.

26 MR. HOGG: Following that up - - -

27 THE COMMISSIONER: Yes.

28 MR. HOGG: Q. In all fairness, every-
29 body out there knew that this place was running
30 wide open, and was a gambling house?



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1 A. I suppose so.

2 THE COMMISSIONER: That was common
3 knowledge out there?

4 THE WITNESS: I suppose so. I am
5 speaking for myself, and not speaking for the
6 Town of Port Credit.

7 THE COMMISSIONER: Oh, no, no, no.
8 It was common knowledge out there, in any
9 event?

10 THE WITNESS: I would say so, yes.

11 THE COMMISSIONER: For how long?

12 A. I really could not tell you.

13 THE COMMISSIONER: Well, roughly?

14 THE WITNESS: I could not say sir;
15 I don't know.

16 THE COMMISSIONER: It was not for
17 one week; it was for more than a week?

18 THE WITNESS: Oh yes.

19 THE COMMISSIONER: More than a year?

20 THE WITNESS: Yes.

21 THE COMMISSIONER: More than three
22 years?

23 THE WITNESS: I would suppose so.
24 I could not pinpoint any particular date.

25 MR. HOGG: Q. McDermott was
26 notorious out there; and he or his wife would
27 go into a supermarket, and everybody would
28 say: "There is McDermott or Mrs. McDermott"?

29 A. I have never known McDermott.
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Q. You have never seen him?

A. I have never seen him him.

Q. Who was Ginsey?

A. I don't know.

Q. What was Ginsey supposed to do?

A. He was the one, I suppose,
to use my phone; as I was under the impression
he was using my phone.

Q. For what purpose?

A. He was a bookmaker.

Q. So you knew; Lafrade told
you Ginsey was a bookmaker?

A. Yes.

Q. Now, did he tell you what
his connection with Ginsey was? Do you know?
Was he an Army friend of his, or what?

A. Just a friend, I would imagine.

Q. What else did you learn
about Ginsey?

A. Nothing sir.

Q. Do you know Gogek, a lawyer?

A. I have heard of him; but
never met him personally.

Q. You never met him? Or did
you go to the office?

A. No sir.

THE COMMISSIONER: How do you spell
that?

MR. WILSON: G-g-g-e-k.



1954 - 1955

1. The first part of the report is devoted to a review of the work done during the year.

2. The second part of the report is devoted to a review of the work done during the year.

3. The third part of the report is devoted to a review of the work done during the year.

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27. The twenty-seventh part of the report is devoted to a review of the work done during the year.

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MR. HOGG: Q. Where has Ginsey supposed to have lived?

A. I think in the New Toronto, Long Branch area.

Q. Was it ever suggested to you that you go to Gogek's office?

A. No sir.

Q. Did you know that Gogek was allowing his phone to be used?

A. I read it in the paper.

Q. Was that the first you heard of it?

A. Yes sir.

Q. Did Sol Gebirtig come to see you?

A. No sir.

Q. At any time?

A. No sir.

EXAMINED BY MR. SHINE:

Q. Were you ever paid for having your phone used?

A. No sir.

Q. Did anybody else ever pay you - or use your phone?

A. Personally no.



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Q. Did you ever have your
premises used for anything else?

A. No sir.

Q. Did anybody have the access
or the key?

A. No sir.

MR. WILSON: That is all, thank you.

THE COMMISSIONER: Where is Mr. Rose?
That is all, thank you.

---The witness retired.

MR. WILSON: I now call Jack Lafrade.



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1
2 JACK LAPRADE, sworn:

3
4 EXAMINED BY MR. WILSON:

5
6 Q. Where do you reside?

7 A. 155 4th Street, New Toronto.

8 THE COMMISSIONER: 155 what?

9 THE WITNESS 4th Street, New Toronto.

10 MR. WILSON: Q. What is your
11 occupation?

12 A. Real estate, more or less.

13 Q. More or less?

14 THE COMMISSIONER: Which?

15 THE WITNESS: More.

16 MR. WILSON: Q. Are you registered - -

17 A. No, I am not. I have some
18 property and I look after it.

19 Q. Where is that property that
20 you look after?

21 A. No. 9 Mississauga Road and
22 No. 11 Mississauga Road.

23 Q. What type of - - -

24 A. Duplexes.

25 Q. So, you look after the
26 maintenance, and collecting of the rent. Is
27 that it?

28 A. That is right, sir.

29 Q. And before you were in real
30 estate, more or less, what were you doing?



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1 A. Well, I worked at
2 Campbell's Soup, and from Campbell's Soup,
3 I worked in the Brewer's Retail store, in
4 1949, to 1950.

5 Q. The what?

6 A. The Brewer's Retail Store.

7 Q. As a salesman?

8 A. No. Driving a truck.

9 Q. Where were you living in
10 1948?

11 A. 155 4th Street,

12 Q. 155 what?

13 A. 4th Street, New Toronto.

14 Q. And in that year, what was
15 your occupation?

16 A. Real estate.

17 THE COMMISSIONER: What year?

18 MR. WILSON: 1958.

19 A. Real estate.

20 Q. Real estate?

21 A. Yes.

22 Q. Now, you have two brothers?

23 A. Yes sir.

24 Q. They are Angelo and William,
25 or Bill?

26 A. That is correct.

27 Q. What were they doing in 1958?

28 A. Joe was a steward at the
29 Veterans' Club in Cooksville, and William Lafrade
30 works at Continental Can.



TABLE I

Summary of the results of the investigation

and the conclusions drawn therefrom

TABLE II

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1 THE COMMISSIONER: I thought you
2 said the brothers were Angelo and Joe?

3 THE WITNESS: Angelo and William.

4 MR. WILSON: Which one do you call Joe?

5 A. Angelo.

6 Q. You call Angelo, Joe?

7 A. Yes.

8 Q. And he was the steward at the
9 Vets' Club at Streetsville (sic) in 1958?

10 A. At Cooksville, yes sir.

11 Q. Were you a member of the
12 Vets' Club at Cooksville, in 1958?

13 A. I was.

14 Q. And did you know Joseph
15 McDermott?

16 A. I do.

17 Q. How long have you known him?

18 A. About 20 years.

19 Q. And Vincent Feeley; do you
20 know him?

21 A. I have known him.

22 Q. How long have you known him?

23 A. Oh, about 25 years.

24 Q. And over the period of 20 to
25 25 years, have you been close friends of these
26 two men?

27 A. Quite close.

28 Q. And in 1958, around May, did
29 you make some arrangements with the last
30 witness, Helen Costello, to make use of her





1 telephone?

2 A. Yes, I did.

3 Q. Just tell us, as you
4 recollect what you told her, about the proposed
5 arrangement?

6 A. Well, I asked Mrs. Costello
7 if I could have some calls charged to her
8 phone number, and she says: "Fine", as far
9 as she was concerned. I explained that when the
10 bill came in, that I would pay for the calls.

11 Q. Who were you acting for,
12 when you made that arrangement?

13 A. Well, a friend; a friend
14 named Ginsey; the nickname is. Actually, it
15 is Sam Hirtch.

16 Q. How do you spell Hirtch.

17 A. H-i-r-t-c-h.

18 THE COMMISSIONER: H-i-r-t-c-h?

19 THE WITNESS: That is right, sir.

20 THE COMMISSIONER: He was known as
21 Ginsey?

22 THE WITNESS: Ginsey.

23 MR. WILSON: Q. Where did he live?

24 A. He lived in Toronto; but
25 I mean to say, we used to make cards up at
26 the Alpha Club; rummy and gin.

27 Q. At the Alpha Club? Are you
28 talking about the Veterans' Club? The old
29 Veterans' Club first name, or the name it had
30 years back?



Page 1 of 1

Subject: [Illegible]

Reference is made to the report of the [Illegible] dated [Illegible]

It is noted that the [Illegible] of the [Illegible]

is a [Illegible] of the [Illegible] and [Illegible]

and [Illegible] of the [Illegible] and [Illegible]

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1 A. That is the name it had
2 years back, yes sir.

3 Q. You had been associated
4 with the operation from that time on, I take it?

5 A. That is correct, sir.

6 Q. Was he also a friend of
7 McDermott and Feeley?

8 A. I presume he was, yes sir.

9 Q. Now did they, or either of
10 them ask you to set this thing up?

11 A. No sir; not as far as
12 Feeley and McDermott were concerned; Ginsey
13 was the only one who asked me if he could
14 charge a few calls on that telephone.

15 MR. WILSON: Could I have Exhibit 121.
16 (Handed to learned Counsel)

17 What were you to be paid, for making
18 this arrangement?

19 A. Not a thing, sir. The only
20 thing I would get paid, when the bill came
21 through, that the girl who owned the phone -
22 they paid her phone bill. It was \$4.85 at the
23 time.

24 Q. In other words, they paid
25 the regular rate?

26 A. Of \$4.85.

27 Q. For the use of the phone?

28 A. Yes.

29 THE COMMISSIONER: Who did?

30 THE WITNESS: Ginsey.



THE UNIVERSITY OF CHICAGO

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THE COMMISSIONER: Who is "they"?

You said "they " paid?

THE WITNESS: I said - I meant Ginsey.

THE COMMISSIONER: Well, you do not speak of Ginsey as "they"?

THE WITNESS: No.

THE COMMISSIONER: Who did you mean, when you said "they"?

THE WITNESS: I meant Ginsey; I gave it to him. I gave him the phone bill and he paid for it.

THE COMMISSIONER: Whom did you mean when you said "they paid the phone bill"? That is what I want to know.

THE WITNESS: I meant Ginsey, your Honour (sic).

THE COMMISSIONER: That is a funny way of describing Ginsey.

MR. WILSON: Q. Did you get these bills, for these long distance calls at the end of each month?

A. Well, the bill came in an envelope.

Q. Yes?

A. And Mrs. Costello got them, and she would hand them to me.

Q. And then what did you do?

A. I handed them to Ginsey.

Q. And did you personally, at any time, go to the Bell Telephone, about these





1 calls?

2 A. No sir.

3 Q. Or to the Accounts ?

4 A. Never.

5 Q. And you say that that is
6 your only connection with the whole set up?

7 A. That is the only connection,
8 sir.

9 Q. Why would anybody go to the
10 Telephone Company in regard to these calls,
11 and suggest that McDermott was the man?

12 A. That I do not know sir.

13 Q. You do not know. Would it
14 surprise you? Would it surprise you that
15 anybody would go to the Bell Telephone and
16 say it was McDermott?

17 A. Well, it does surprise me.

18 Q. I mean, it is surprising
19 that it has come out?

20 A. That is right, sir.

21 Q. Now, who told you to terminate
22 the arrangement?

23 A. Nobody.

24 Q. How did it come to an end?

25 A. Well, I took it for granted
26 when the last - - the bill came through, that
27 Mr. Hirtch or Ginsey had another phone to call
28 from, or use.

29 Q. Now, what was Hirtch's
30 occupation?

B/4



J. Lafrade

4749 B

1 A. Well, as far as I know he
2 was a gambler.

3 Q. Yes. And where did he
4 reside at that time?

5 A. Well, he resided in Toronto,
6 but I could not give you the exact address.

7 Q. Where does he reside now?

8 A. I could not tell you.

9 Q. When did you last see him?

10 A. I have not seen him for -
11 oh, it must have been a couple of years.

12 Q. Well, were you close to this
13 fellow, Ginsey?

14 A. Well, I had known him for,
15 oh, I would say, about 7 or 8 years.

16 Q. Yes?

17 A. An acquaintance made at the
18 club.

19 Q. Is it not a fact that this
20 was an arrangement you were setting up, for
21 McDermott and Feeley, or one or the other of
22 them?

23 A. No sir, not as far as - - -

24 Q. You appreciate the nature of
25 your oath?

26 A. I do, sir.

27 Q. And you appreciate the penalty
28 for perjury?

29 A. I do.

30 Q. And you are swearing on your



J. Lafrade

4749 C

1 oath that McDermott or Feeley, or their
2 representatives, had nothing to do with this
3 arrangement?

4 A. As far as I know, the only
5 arrangements I had was with Mr. Hirtch. Now,
6 if Mr. Hirtch met Feeley or McDermott or
7 anybody else about the phone, I do not know sir.

8 THE COMMISSIONER: You have a phone
9 at home?

10 THE WITNESS: Yes, I have.

11 THE COMMISSIONER: Q. Why did you
12 not suggest to your friend Ginsay that he
13 use your phone?

14 A. Actually the phone I have
15 at home - I live with my mother and sister.

16 Q. Yes?

17 A. And they use the phone quite
18 a lot.

19 Q. Yes.

20 A. And this girl was ~~was~~ working
21 in this drug store; in fact, we have been out
22 together for the last 19 years, and she was the
23 only one, and I got permission to use her
24 phone.

25 Q. Was not the intention that
26 anybody would go into her apartment?

27 A. None whatsoever.

28 Q. The plan was simply to use
29 that number?

30 A. That is correct.



J. Lafrade

4749 D

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Q. Why did you not suggest to your friend Ginsey that he use your number?

A. I actually thought that the girl herself, living by herself - and it helped her in that way, that it paid her phone bill of \$4.85 at the time, which seems like a lot of money to her, and she was paying that.

Q. That is your explanation?

A. Yes sir.

MR. WILSON: Q. Didn't your friend Ginsey have a pretty big operation?

A. I could not say sir.

Q. You saw the number of long distance calls at the end of the month, when he got the statement?

A. I saw just the total amount.

Q. Yes. But you have no idea how big an operator he was?

A. No, I did not.

Q. But you knew he was a friend of McEneaney and Feeley, did you not?

A. I took it for granted that he was; he was at the Club quite often.

Q. What was your connection with the Fianit Club in New Toronto?

A. I was a member of it.

Q. Just a member?

A. Yes sir.

Q. You did not have any part of



1 the operation?

2 A. None whatsoever.

3 Q. You are a known bookmaker?

4 A. I do not say I am a known
5 bookmaker.

6 THE COMMISSIONER: You are a bookmaker
7 who is not known. Is that what you mean?

8 THE WITNESS: No, your Honour (sic)

9 THE COMMISSIONER: Are you a
10 bookmaker?

11 THE WITNESS: I have booked, yes.

12 MR. WILSON: Q. What was your
13 connection with the Centre Road Veterans' Club?

14 A. Nothing.

15 Q. Then why in December 1958
16 would you go and visit Chief McGill, and have
17 a talk about that club?

18 A. I have known Chief McGill
19 for 18 years, and I did not go up there to
20 talk as far as the club itself was concerned;
21 I went more or less to talk about the concern
22 of my brother there; that he was steward
23 at the club.

24 Q. You were talking for Joe?

25 A. That is right.

26 Q. Joe asked you to go?

27 A. No, he did not ask me to go.

28 Q. You just thought this up
29 yourself?

30 A. I went out on my own.



1914

Journal

Journal		Page
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Jan 1	Received from Mr. J. H. Smith	1
Jan 2	Received from Mr. J. H. Smith	2
Jan 3	Received from Mr. J. H. Smith	3
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Jan 5	Received from Mr. J. H. Smith	5
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1 Q. Tell us what you said to
2 Chief McGill, when you got there?

3 A. I did not say very much,
4 In fact, Chief McGill was the one that asked me
5 a lot of questions about the club, and I
6 said to him, I said: "At any time that you
7 want to go to the club," and I said, "All you
8 have to do, is knock at the door," and I said:
9 "My brother is the steward there, and he will
10 let you in."

11 Q. You asked him what action
12 was going to be taken against the club, did you
13 ask?

14 A. No sir, I did not ask him
15 what action was going to be taken against the
16 club.

17 Q. You deny his statement,
18 that that is what was said?

19 A. I do.

20 Q. Now, what else did you tell
21 him about your brother going to the door,
22 if he knocked on the door?

23 A. That he would open the door
24 for him, instead of using crowbars and sledge
25 hammers.

26 Q. Who asked you to make this
27 statement to the Chief?

28 A. Nobody.

29 Q. Nobody?

30 A. No sir.



J. Lafrade

4749 0

1 Q. Then, you say you had no
2 interest - - -

3 A. None whatsoever.

4 Q. In the club?

5 A. In the club.

6 Q. You never had a piece of it
7 at any time?

8 A. None whatsoever; never.

9 Q. Then, did you offer him a case
10 of Crown Royal, or a case of Scotch, and a case
11 of Rum?

12 A. No sir, he lied when he said
13 that I offered him a case of Scotch, a case of
14 Crown Royal and the case of Rum.

15 Q. What did you offer him?

16 A. Nothing; he offered me a
17 drink.

18 Q. You say you offered him
19 nothing?

20 A. Absolutely nothing.

21 Q. So, you say he is lying when
22 he makes that statement?

23 A. He certainly did; he was.

24 Q. What did he tell you?
25 What did he say, on this interview?

26 A. He told me, he says, not to
27 worry too much; he says if anything comes up,
28 Jack: "I will give you a call" and he asked
29 me for my phone number. So, we had a glass
30 of ginger ale; he offered me a drink of Scotch,



1 and I said: "No thank you", so we had these
2 glasses of ginger ale, and he said: "I will see
3 you again."

4 Q. When did you meet him again?

5 A. I saw him in around the
6 this
7 latter part of January of this year, at Toronto
8 Township.

9 Q. Were you not talking a week
10 later, at his home?

11 A. That is the only time that
12 I had any conversation; I was at his place
13 a week previous about that; before that.

14 Mrs. McGill came to the door, and
15 not Mr. McGill, and said he had company; if
16 I could drop over the following week, which I
17 did, and that was the only conversation; the
18 second week.

19 Q. The second? Is it not a
20 fact that you went back after that conversation
21 you have told us about, and asked him whether
22 or not he had changed his mind?

23 A. No sir.

24 Q. You deny that?

25 A. I certainly do, because that
26 was the only occasion that I had to talk to him.
27 He stayed in the front room of his place.

28 Q. And your story is that you
29 had been there the week prior to the day
30 that you say you had this conversation?

A. That is correct.



1. The first part of the report is a general
2. introduction to the subject of the study.
3. The second part is a description of the
4. methods used in the study.
5. The third part is a description of the
6. results of the study.
7. The fourth part is a discussion of the
8. results of the study.
9. The fifth part is a conclusion of the
10. study.
11. The sixth part is a list of references.
12. The seventh part is a list of figures.
13. The eighth part is a list of tables.
14. The ninth part is a list of appendices.
15. The tenth part is a list of footnotes.
16. The eleventh part is a list of glossary.
17. The twelfth part is a list of abbreviations.
18. The thirteenth part is a list of symbols.
19. The fourteenth part is a list of units.
20. The fifteenth part is a list of conversions.



1 Q. And not a week later, as
2 he puts it?

3 A. That is correct, sir; in
4 fact, I can prove it, because Mrs. Costello
5 happened to be in the car the first time I
6 went over there.

7 THE COMMISSIONER: Was she there
8 the second time?

9 THE WITNESS: No, she was not, your
10 Honour. I was in this place exactly about
11 ten or fifteen minutes.

12 MR. WILSON: How do you fix the
13 date of your first visit to the Chief?

14 A. I phoned him.

15 Q. Yes. Now, you were a member
16 of the Veterans' Club, I take it, from 1957
17 through to the time it folded up?

18 A. Yes, I was.

19 Q. You say you had no interest
20 in it?

21 A. None whatsoever.

22 Q. Your only concern was for
23 the welfare of your brother Joe?

24 A. Exactly.

25 Q. And I suppose Joe had a pretty
26 good thing there; and you wanted to help him
27 out?

28 A. He was married, and I did not
29 exactly help him out, but - - -

30 THE COMMISSIONER: But what?



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J. Lafrade

4749 J

1 THE WITNESS: Well, the only concern
2 was this: working at the place. That is
3 all.

4 THE COMMISSIONER: Q. What was your
5 concern? That is what I am interested in.

6 A. None whatsoever. My concern
7 was in him.

8 Q. That is what I say: Why?

9 A. Well, just - - -

10 Q. Just what? Go ahead and
11 tell me now?

12 A. Exactly, I don't know.
13 My only concern was for my brother. That is
14 all.

15 Q. His security I suppose?

16 A. Probably, yes sir.

17 Q. At the club?

18 A. At the club.

19 Q. So that he would be able to
20 carry on?

21 A. I beg your pardon?

22 Q. So that he would be able to
23 carry on?

24 A. Yes.

25 Q. Without being disturbed?

26 A. That was entirely up to
27 him, your Honour.

28 Q. That was your idea, is that
29 right?

30 A. Mmm.



J. Lafrade

4749 K

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Q. Do not say "Hmum". Say

yes.

A. Yes.

Q. X That was your purpose in going to McGill?

A. Yes sir.

THE COMMISSIONER: Yes.

(Page 4750 follows)



1/FL

1 MR. WILSON: Q. Now, did you have
2 any connection with the Jordan Club?

3 A. None whatever. I wasn't in
4 the Jordan Club once.

5 Q. Were you a member there?

6 A. I was never a member there.

7 Q. Were you ever outside when there
8 was a raid on there?

9 A. I was not.

10 Q. Do you recall the Superior
11 Cleaners at 791 Lake Shore Road in Lakeview
12 in 1958?

13 A. Superior Cleaners?

14 Q. Superior Cleaners, 791 Lake Shore
15 Road. Do you recall being outside when a
16 raid took place there?

17 A. Yes, I was outside.

18 Q. What was going on at that address?

19 A. I couldn't tell you.

20 Q. You could not say?

21 A. No.

22 Q. You just happened to be an
23 innocent bystander who was nearby when the
24 police came in?

25 A. It could have been.

26 THE COMMISSIONER: Q. No, were you?

27 A. Yes.

28 Q. Were you there for a particular
29 purpose?

30 A. No.



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1 Q. What time of the day was it, or
2 night?

3 A. I couldn't tell you, your honour.
4 It was in the afternoon some time.

5 Q. Daylight?

6 A. Broad daylight.

7 Q. You just happened to be walking
8 past?

9 A. Driving by.

10 Q. Driving by. And what drew
11 your attention?

12 A. Oh, there were a few people
13 standing around. I thought for a minute it
14 was an accident.

15 MR. WILSON: Q. That is all, thank
16 you.

17
18
19
20 EXAMINED BY MR. HOGG:

21
22 Q. You say you are in the real estate
23 business and that consists of managing two
24 properties?

25 A. That is right.

26 Q. You do not sell or buy real
27 estate?

28 A. No, I don't.

29 Q. Who owns these duplexes?

30 A. I do.



THE UNITED STATES OF AMERICA

IN SENATE

COMMITTEE ON THE INTERIOR

REPORT

ON THE

PROCEEDINGS OF THE

COMMISSIONERS OF THE

LAND OFFICE

IN

THE YEAR 1890

AND THE

REVENUE

OF THE

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1 Q. You own them yourself?

2 A. Yes, sir.

3 Q. And apart from collecting the
4 rent from two duplexes, what else do you do
5 for a living?

6 A. Nothing.

7 Q. Nothing.

8 THE COMMISSIONER: Q. Is there any
9 mortgage against the duplexes?

10 A. No, sir.

11 Q. How long have you had them?

12 A. Since 1955.

13 Q. What did they cost you?

14 A. About \$40,000.

15 MR. HOGG: Q. A piece?

16 A. No, for both.

17 THE COMMISSIONER: Q. Did you pay cash?

18 A. Yes, sir.

19 Q. Where did you get the cash?

20 A. Well, I borrowed some. I
21 borrowed \$25,000 from my family. And the rest
22 I put myself.

23 Q. Did you give a mortgage to anyone
24 to secure the \$25,000?

25 A. I gave notes to my relations.
26 I didn't get it from an individual, I got it
27 from different -- four of them.

28 Q. You got it from four of them?

29 A. My brothers and sisters.

30 Q. Joe?



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1 A. No, sir, not from Joe.

2 Q. From whom?

3 A. I got it from my sister Ann,
4 my sister Edith, my brother Bill and my brother
5 John.

6 Q. And you gave them notes?

7 A. Yes.

8 Q. For \$25,000?

9 A. That is right, sir.

10 Q. What year?

11 A. 1955.

12 Q. And you have paid the notes off?

13 A. No, sir; I have quite a chunk
14 to pay.

15 MR. HOGG: Q. Did you pay in cash?

16 A. Yes, sir.

17 Q. Now, when you got this money from
18 them, was it in the form of cash or cheque?

19 A. It was cash.

20 Q. So, there is no way we can check
21 that, can we, there is just your say-so?

22 A. No, sir.

23 Q. There is no written document
24 we can check?

25 A. Just the documents the lawyer
26 drew up, Douglas Johnson.

27 Q. Do you own any other property?

28 A. We own another property on
29 Elizabeth Street, Joe and I.

30 Q. How much did you pay for that?



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1 A. \$21,000.

2 Q. Cash?

3 A. No, we put \$5,000 down and had a
4 mortgage on it.

5 THE COMMISSIONER: Q. Elizabeths Street,
6 where?

7 A. Mimico.

8 MR. HOGG: Q. Did you own any other
9 property?

10 A. No, sir.

11 Q. Have you any other property in
12 your name?

13 A. Yes, a house on Dixie Road.

14 Q. When did you get it?

15 A. 1958.

16 Q. What did you pay for it?

17 A. \$22,000.

18 Q. Cash?

19 A. Yes, sir.

20 Q. All cash?

21 A. Hm-hmm.

22 Q. Now, we have, from 1955, approach-
23 ing the \$100,000 mark in cash. Any other property
24 in your name, Lafrade?

25 A. That is all.

26 Q. Is there any other property
27 in your name? I am not asking about your
28 property, in your name?

29 A. That is all.

30 Q. That is all. Do you own a car?



A. \$21,000.

A. No, we put \$5,000 down and had a mortgage on it.
THE COMMISSIONER: C. Elizabeth Street,

where?

A. Minico.

MR. HOGG: Q. Did you own any other

property?

A. No, sir.

Q. Have you any other property in

your name?

A. Yes, a house on Dixie Road.

Q. When did you get it?

A. 1951.

Q. What did you pay for it?

A. \$22,000.

A. Yes, sir.

Q. All cash?

A. Hm-hm.

Q. Now, we have, from 1955, approxi-

ing the \$100,000 mark in cash. Any other property

in your name, I suppose?

A. That is all.

Q. Is there any other property

in your name? I am not asking about your

property, in your name?

A. That is all.

Q. That is all. Do you own a car?



1 A. Yes, sir.

2 Q. What kind?

3 A. A '56 Buick.

4 Q. Anything else?

5 A. That is all.

6 Q. Do you have a car registered
7 in anybody else's name?

8 A. No, sir.

9 THE COMMISSIONER: Q. Have you a bank
10 account?

11 A. Yes, sir, about two hundred and
12 some dollars.

13 Q. Only one bank account?

14 A. Just the one.

15 Q. Safety deposit box?

16 A. Yes.

17 Q. Where?

18 A. Bank of Nova Scotia, New Toronto.

19 Q. How long have you had it?

20 A. Oh, for years.

21 Q. What is in it?

22 A. Deeds, insurance papers.

23 MR. HOGG: Q. Cash?

24 A. No, sir, no cash.

25 Q. No cash?

26 A. Not a quarter.

27 Q. Where do you keep your cash?

28 A. I haven't any.

29 Q. You have not?

30 A. No, sir.



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1 Q. Now, there is \$22,000 you put into
2 a property on Dixie Road?

3 A. Yes, sir.

4 Q. Where did you get that?

5 A. I borrowed \$12,000.

6 THE COMMISSIONER: Q..Who from?

7 A. From my sister.

8 Q. That is another \$12,000.

9 A. And my other sister, Mrs. Schumann.
10 I borrowed another \$2,500 from my sister Ann.

11 MR. HOGAN: Q. This all came in the
12 form of cash?

13 A. Yes, sir.

14 Q. Not in cheques you can look at
15 in the bank? You have sisters who run around
16 with five and six thousand dollars in cash?

17 A. Yes. One works at the Continental
18 Can and the other runs a canteen. The one
19 at Continental Can gets \$2.59 an hour.

20 Q. How much a week?

21 A. When they work on weekends I have
22 men her draw \$135, \$150.

23 Q. This money is saved from her
24 salary?

25 A. She doesn't pay any board. She
26 keeps the house, mother and dad.

27 Q. Did she keep this in a bank?

28 A. No, I don't think she keeps it
29 in a bank.

30 Q. What is her name?



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1 A. Ann Lafrade.

2 THE COMMISSIONER: Q. We want names
3 of these sisters and their addresses. We will
4 probably pursue this.

5 A. Ann Lafrade.

6 Q. Where does she live?

7 A. 155 Fourth Street.

8 Q. 155 Fourth Street?

9 A. That is correct.

10 Q. In New Toronto?

11 A. New Toronto.

12 Q. How much do you say you borrowed
13 from her?

14 A. About \$8,000.

15 Q. When?

16 A. 1955.

17 Q. All in one sum? That is not a
18 total of \$8,000, but one loan of \$8,000?

19 All right. The other sister?

20 A. Edith Natta.

21 Q. Edith what?

22 A. Natta, N-a-t-t-a.

23 Q. Where does she live?

24 A. 30 18th Street.

25 Q. 30?

26 A. 18th Street, New Toronto.

27 Q. She is married?

28 A. She is married but her husband is
29 deceased.

30 Q. She is a widow?



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A. She is a widow.

Q. How much did you borrow from her?

A. Oh, I think it was \$6,000, your honour. I will have to get the notes. I have them in the safety deposit box.

Q. You have the notes you gave to her?

A. She has the notes and I have a copy of them.

Q. \$6,000 you borrowed from her. All in one sum?

A. Yes, sir.

Q. When?

A. 1955.

Q. Who were the others of the family from whom you swear you borrowed money?

A. John Lafrade.

Q. Where does he live?

A. He did live at 94 --

Q. Where does he live now?

A. He is deceased.

Q. Where did he live when you borrowed the money from him?

A. 94 17th Street.

Q. How much did you borrow?

A. \$5,000.

Q. All in one sum?

A. Yes, sir.

Q. Did he pay it to you by cheque or cash?



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A. Cash.

Q. And your sister paid it to you
by cash?

A. Yes.

Q. Who else did you borrow money
from?

A. Mrs. Schumann.

Q. What is her first name?

A. Mary Schumann.

Q. How do you spell it?

A. S-c-h-u-m-a-n-n.

Q. Where does she live?

A. 49 9th Street, New Toronto.

Q. How much did you borrow from her?

A. \$3,500.

Q. Did she pay it to you by cheque
or cash?

A. Cash.

Q. Who else did you borrow from --
Or, excuse me, what year did you borrow it
from John, first of all?

A. 1955.

Q. And what year did you borrow it
from Mary?

A. 1955.

Q. Who else do you swear you borrowed
money from?

A. W. Lafrade.

Q. What is his first name?

A. William.



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Q. Where does he live?

A. 73 Emerald Crescent. He lived there. He lives in Cooksville now and I don't know. It is Eaglewood.

Q. Inglewood?

A. Eaglewood.

Q. Eaglewood?

A. Cooksville.

Q. How long has he lived there?

A. About a year.

Q. How much did you borrow from him?

A. \$4,500.

Q. When?

A. 1955.

Q. I suppose you are saying he gave it to you in cash?

A. Yes.

Q. Who else do you swear you borrowed money from?

A. That is all.

Q. How much do you still owe?

A. I owe quite a lot. I owe over \$25,000 yet.

Q. Your brothers and sisters loaned you \$27,000 and they paid it to you in cash?

A. Ha-ham.

Q. And you gave them notes for it?

A. I did.

Q. You have copies of the notes?

A. Yes.



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1 Q. We will hear more about this later.

2 MR. HOGG: Q. The Commissioner said
3 they ran around \$27,000 --

4 THE COMMISSIONER: Is my arithmetic
5 wrong?

6 MR. HOGG: No, I am not disputing that,
7 Mr. Commissioner.

8 Q. You put a lot of your own money
9 in this?

10 A. Yes, I did.

11 Q. You put in, roughly speaking,
12 \$45,000, \$55,000?

13 A. No, sir.

14 Q. How much?

15 A. Roughly speaking, about -- I
16 put in about \$25,000.

17 Q. Have you paid off part of what
18 you have told us you borrowed?

19 A. I paid up some.

20 Q. How much?

21 A. About two or three thousand.

22 Q. Where did you get the \$25,000
23 from, cash, when you do not work?

24 A. I worked.

25 Q. Doing what?

26 A. Driving a truck. I had money
27 saved up.

28 THE COMMISSIONER:

29 Q. In the bank?

30 A. I had some in the bank and I had
some bonds. And I had some cash on hand.



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1 MR. HOGG: Q. You saved up \$25,000?

2 A. Yes, I did.

3 Q. From driving a truck? When
4 did you drive a truck?

5 A. I drove a truck from 1941 to
6 1949, Brewers Retail. And at the time, when
7 the beer was rationed, it was a good go; I
8 made a lot of money.

9 Q. How much have you made since 1955?

10 A. I haven't made an awful lot.

11 None.

12 Q. None?

13 A. No, sir.

14 Q. You do not work?

15 A. I don't work.

16 THE COMMISSIONER: Q. You are in the
17 real estate business?

18 A. I am in the real estate business.

19 MR. HOGG: Q. But you do not work?

20 A. No.

21 Q. You do not do anything in the
22 real estate business; you do not buy any
23 houses, you do not sell any houses, you do
24 not show people around?

25 A. No, sir.

26 THE COMMISSIONER: Q. But you make book?

27 A. In a small way, yes.

28 MR. HOGG: Q. And you run errands for
29 Feeley and McDermott.

30 A. No, I never run errands for Feeley



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1 and McDermott.

2 THE COMMISSIONER: Are you going to
3 pursue the bookmaking end of it?

4 MR. HOGG: Yes, after dealing with one
5 other matter, Mr. Commissioner.

6 THE COMMISSIONER: All right.

7 MR. HOGG: Q. When did you receive a
8 subpoena for this inquiry?

9 A. Yesterday morning.

10 Q. When were you notified you were
11 coming here?

12 A. Yesterday at five o'clock.

13 Q. Who did you consult?

14 A. Nobody.

15 Q. Have you seen Feeley or McDermott
16 since this hearing commenced?

17 A. Yes. I saw Feeley last week.
18 I can't give you the date.

19 Q. When was the first time since this
20 hearing began?

21 A. I saw them twice. I couldn't
22 tell you exactly when.

23 THE COMMISSIONER: Q. You saw them
24 twice?

25 A. Yes.

26 MR. HOGG: Q. Where was the first time?
27 Where?

28 A. The first time? It was in
29 Feeley's car. Feeley was by himself.

30 Q. Where?



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1 A. He come down 9th Street.

2 Q. How long were you in his car?

3 A. Oh, about three-quarters of an
4 hour, an hour.

5 Q. Talking about the Commission?

6 A. Not exactly. Talking in
7 general.

8 Q. And about these telephone calls?

9 A. Not about the telephone calls
10 at all.

11 THE COMMISSIONER: Q. What?

12 A. Not about the telephone calls.

13 Q. When was this?

14 A. This is a couple of weeks ago,
15 your honour.

16 MR. HOGG: Q. Lafrade, I asked you about
17 the first time you saw Feeley or McDermott
18 since this Commission started.

19 A. Two or three weeks ago. I
20 don't remember.

21 Q. Are you swearing under oath
22 you did not see either of them?

23 A. I saw Feeley come down 9th Street
24 and I sat in the car.

25 Q. I am not talking of the incident
26 in the car. Prior to that.

27 A. That is the only time.

28 Q. When is the next time?

29 A. I saw Feeley and McDermott last
30 Saturday.



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Q. Where?

A. At a restaurant in Long Branch.

Q. By pre-arrangement?

A. Yes, I was talking to them on the phone. I stopped to have a coffee.

Q. Who called you?

A. Feeley.

Q. Where were you when you were called?

A. I was at my sister's place on 9th Street.

Q. What is the telephone number there?

A. Clifford 1-5463.

Q. Feeley told you to meet him in a restaurant?

A. That is right.

Q. And McDermott and Feeley showed up?

A. That is correct.

Q. Was this in a booth?

A. No, an open restaurant.

Q. What did you talk about?

A. Nothing, in general.

THE COMMISSIONER: Nothing, in general.

MR. HOGG: Q. Why did they want to talk to you?

A. No reason.

THE COMMISSIONER: Q. Oh, witness.

Feeley called you and said he wanted to see you?



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1 A. That is correct.

2 Q. Did he not tell you what he
3 wanted to see you about?

4 A. It wasn't actually anything
5 discussed.

6 Q. He did not want to hold your hand?

7 A. No, he didn't want to hold my
8 hand.

9 Q. What did he talk about?

10 A. We didn't talk about anything.

11 MR. HOGG: Q. Did you check that
12 restaurant out for police, first?

13 A. No, sir, never.

14 Q. You did not?

15 A. Not that I know. I have many
16 times walked in the place for coffee.

17 Q. What did they talk about?

18 A. They didn't talk about anything.

19 Q. They phoned you up, ordered you
20 to go down there to meet them, they took all
21 the trouble of coming down to the restaurant.
22 What was said, and you are under oath.

23 A. I am under oath. There was
24 nothing said.

25 THE COMMISSIONER: Q. Now, witness,
26 you know if you tell an untruth under oath
27 you can be charged with perjury?

28 A. Yes, I know that, your honour.

29 Q. Do you know the penalty for
30 perjury?



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1 A. Yes.

2 Q. Just keep that in mind and pay
3 attention to this question and answer.
4 Truthfully, what did you talk about?

5 A. We talked about the Commission,
6 and stuff like that.

7 MR. HOGG: Q.. That is right. You know,
8 the police have large ears in this Metropolitan
9 area. Just let us get your version of what
10 was said. You talked about the Commission?

11 A. That is right.

12 Q. What about it?

13 A. Nothing, in general. What was
14 going on according to the newspapers, the
15 writing --

16 Q. Let us talk about your position
17 as far as this Commission is concerned.

18 A. My position?

19 Q. What would happen if you were
20 called, was that discussed?

21 A. No.

22 Q. Or mentioned?

23 A. No, it wasn't.

24 Q. Are you swearing that under oath?

25 A. I swear.

26 Q. You know that was mentioned.

27 A. That wasn't mentioned.

28 Q. What else was? What about this
29 Commission?

30 A. Just a discussion about what was

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1 going on and the writing --

2 Q. Well, tell us?

3 THE COMMISSIONER: Q. They had read
4 about that?

5 A. They had read about it.

6 Q. You had read about it?

7 A. I had read about it.

8 Q. Then, why the need to telephone
9 you to find out what was in the paper?

10 A. No, not exactly.

11 Q. Why did they telephone you, what
12 did they want to find out from you, what did
13 they want to tell you?

14 A. First, they asked if I was
15 called, if I was subpoenaed.

16 Q. Yes?

17 A. And that's about it.

18 Q. You told them no.

19 A. No.

20 Q. That did not take very long?

21 A. No, it didn't.

22 MR. HOGG: Q. They checked out to
23 had
24 see whether you got a subpoena?

25 A. That is correct.

26 Q. They found out you had not?

27 A. That is correct.

28 Q. So, they were interested in
29 whether you were going to be called here before
30 the Commissioner?

31 A. That is correct.



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Q. Then, what was said?

A. Nothing.

Q. Now, now.

A. Nothing was said, and that is about as far as the conversation went.

THE COMMISSIONER: Q. How long were you talking to them?

A. We were talking about fifteen or twenty minutes. We had a coffee. Other people were in the restaurant.

MR. HOGG: Q. What about if you were going to be subpoenaed? They thought you might have had a subpoena already. We have established that.

THE COMMISSIONER: Q. Is that so?

A. No, sir.

Q. You nodded your head?

MR. HOGG: Q. You just said so.

A. That is correct, I said so.

Q. They found out you had not?

A. That I hadn't.

Q. The next thing they moved onto was, what is going to happen if you get a subpoena. Right?

A. Right.

Q. Right. To let them know?

A. Not exactly, no, sir.

Q. What do you mean "not exactly"?

A. Why should I let them know?

THE COMMISSIONER: Q. No, no. They were



1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very important document, as it contains the President's message to Congress for the first time since the beginning of the Civil War. The President discusses the state of the Union, the progress of the war, and the need for Congress to take action to support the war effort.

2. The second part of the document is a report from the Secretary of the War Department, dated January 10, 1862. It provides a detailed account of the military operations of the Union Army during the previous year. The report includes information about the number of troops, the equipment, and the results of the battles. It also discusses the challenges faced by the Army and the measures taken to overcome them.

3. The third part of the document is a report from the Secretary of the Navy Department, dated January 15, 1862. It provides a detailed account of the naval operations of the Union Navy during the previous year. The report includes information about the number of ships, the crew, and the results of the battles. It also discusses the challenges faced by the Navy and the measures taken to overcome them.

4. The fourth part of the document is a report from the Secretary of the Treasury Department, dated January 20, 1862. It provides a detailed account of the financial operations of the Union Government during the previous year. The report includes information about the revenue, the expenditures, and the state of the public debt. It also discusses the challenges faced by the Treasury and the measures taken to overcome them.

5. The fifth part of the document is a report from the Secretary of the Interior Department, dated January 25, 1862. It provides a detailed account of the land and mineral resources of the United States during the previous year. The report includes information about the discovery of new lands, the management of the public lands, and the development of the mineral resources. It also discusses the challenges faced by the Interior and the measures taken to overcome them.

6. The sixth part of the document is a report from the Secretary of the Education Department, dated February 1, 1862. It provides a detailed account of the educational operations of the Union Government during the previous year. The report includes information about the number of schools, the students, and the teachers. It also discusses the challenges faced by the Education Department and the measures taken to overcome them.

7. The seventh part of the document is a report from the Secretary of the Agriculture Department, dated February 5, 1862. It provides a detailed account of the agricultural operations of the Union Government during the previous year. The report includes information about the production of crops, the management of the public lands, and the development of the agricultural resources. It also discusses the challenges faced by the Agriculture Department and the measures taken to overcome them.

8. The eighth part of the document is a report from the Secretary of the Commerce Department, dated February 10, 1862. It provides a detailed account of the commercial operations of the Union Government during the previous year. The report includes information about the trade, the shipping, and the management of the public lands. It also discusses the challenges faced by the Commerce Department and the measures taken to overcome them.

9. The ninth part of the document is a report from the Secretary of the War Department, dated February 15, 1862. It provides a detailed account of the military operations of the Union Army during the previous year. The report includes information about the number of troops, the equipment, and the results of the battles. It also discusses the challenges faced by the Army and the measures taken to overcome them.

10. The tenth part of the document is a report from the Secretary of the Navy Department, dated February 20, 1862. It provides a detailed account of the naval operations of the Union Navy during the previous year. The report includes information about the number of ships, the crew, and the results of the battles. It also discusses the challenges faced by the Navy and the measures taken to overcome them.



1 suggesting to you you let them know if you
2 got a subpoena?

3 A. No, sir. They didn't suggest
4 no such a thing.

5 Q. They did not?

6 A. No, sir.

7 MR. HOGG: Q. You said you would let
8 them know ---

9 A. I didn't say I would let them
10 know.

11 Q. You did not?

12 A. No.

13 Q. What did you say about that?

14 A. Nothing. They asked me if I
15 had been subpoenaed yet and I said no.

16 Q. We have finished with that part.
17 We next moved on to this question: If you
18 are going to get a subpoena, that was brought
19 up, what would happen if you got a subpoena?
20 Tell the Commissioner about that.

21 A. They didn't say if I got a
22 subpoena.

23 Q. You just told us a few minutes
24 ago under oath.

25 A. They asked me if I had been
26 subpoenaed and I said no. Now, there was no
27 further discussion if I was going to get a
28 subpoena to let them know.

29 Q. There was a discussion if you
30 were to be subpoenaed?



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A. No, there wasn't.

Q. What else was said?

A. Nothing.

THE COMMISSIONER: Q. You got a subpoena when?

A. Yesterday morning about eleven o'clock.

Q. When did you let them know about that?

A. I didn't let them know.

Q. You did not tell them?

A. No.

MR. HOOG: Q. Who did you let know?

A. Nobody.

Q. Nobody?

A. Nobody.

THE COMMISSIONER: Q. Not even the last witness, Helen Costello?

A. No.

Q. You did not tell her, either?

A. I told her. She phoned me she had to come down this morning.

Q. Yes?

A. And I says, "I am going down, too; I have been subpoenaed". That was last night around ten o'clock.

MR. HOOG: Q. The phones were buzzing?

A. The phones were not buzzing.

Q. Is your brother in court?

A. No, sir.



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1 Q. When did you last see your
2 brother, the steward?

3 A. The steward?

4 Q. Yes.

5 A. Sunday.

6 Q. Sunday?

7 A. Mm-hmm.

8 Q. What else was said in this
9 restaurant?

10 A. Nothing.

11 Q. We have not covered fifteen
12 minutes; we have covered about three.

13 A. There was nothing. We drank our
14 coffee.

15 THE COMMISSIONER: What is the use of
16 pursuing that with this witness?

17 Q. Frankly, witness, I do not
18 believe you.

19 A. Well, that is the truth, your
20 honour.

21 MR. HOGG: Q. Do you know a Worthy
22 Bennett or "Spike"?

23 A. Who?

24 Q. Spike Bennett, Worthy Bennett?

25 A. No, sir, I don't.

26 Q. You do not. You know William
27 Lafrade?

28 A. Yes, I do.

29 Q. You know A. Lafrade?

30 A. Yes, I do.



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1 Q. You are Jack Lafrade?

2 A. That is correct.

3 Q. Do you know Ernie Midgely?

4 A. Yes, I have seen Ernie.

5 Q. Do you know J. McDermott?

6 A. Yes.

7 Q. There are two more names on this

8 list I have got here. One is John Fleischuk.

9 A. Yes.

10 Q. And J. Papalia.

11 A. I don't know him and never met

12 him.

13 Q. Nobody wants to say they knew

14 him. Do you know J. Paplia?

15 A. No, sir.

16 Q. Johnny Pope?

17 A. Don't know him; never saw him.

18 Q. How do you explain your name

19 being on a list with these other gentlemen

20 I have mentioned found by the police at Spike

21 Bennett's place on March 26th, 1959?

22 A. Spike Bennett? I have never

23 been in Spike Bennett's, and I don't recognize

24 Spike Bennett.

25 Q. Have you never heard of him?

26 A. I have heard of him but I have

27 never met the man.

28 Q. Where does he live?

29 A. I haven't the slightest idea.

30 Q. What have you heard of him, what



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1 is he?

2 A. I couldn't tell you. I just heard
3 his name. I don't know what he does for a
4 living. Whoever put my name on that list
5 must have been mistaken.

6 Q. Mistaken about what?

7 A. About my being at Spike Bennett's.
8 1959.

9 Q. Did you book for him?

10 A. No, sir.

11 Q. Tell us about your bookmaking
12 operations out on the Lake Shore?

13 A. I haven't any now. I did have
14 a place on 7th Street years back. For about
15 a year and a half, then I was pinched.

16 Q. When was that?

17 A. I guess about 1953, '52.

18 Q. How long have you been making
19 book out on the Lake Shore?

20 A. About a year, a couple of years.

21 THE COMMISSIONER: Q. When did you
22 stop?

23 A. I stopped about 1954.

24 MR. HOGG: Q. Are you saying, witness,
25 you have not taken a bet since 1954?

26 A. I am.

27 Q. Who did you used to phone your
28 bets into?

29 A. Nobody. It was such a small
30 operation you could just about remember.



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1 Q. Do you want the Commissioner to
2 believe that?

3 A. Believe it or not. That is
4 the truth,

5 Q. Do you know Bob Weatherup out
6 there?

7 A. Oh, yes.

8 Q. Who was he?

9 A. He was the Chief.

10 Q. Did you see him often?

11 A. Not lately; he is retired.

12 Q. He is dead now.

13 A. He is not dead.

14 Q. He is not dead?

15 A. No, he is the President of the
16 Legion in New Toronto. Very much alive.

17 Q. What connection did you have
18 with the Finnish Club?

19 A. I was a member.

20 Q. Tell us about the Finnish Club
21 since you were a member. First of all, there
22 were not any Finnish people in it, were there?

23 A. No. There might have been.

24 Q. Could you name one Finn that
25 was in that Club?

26 A. No, sir.

27 Q. We have heard some evidence
28 about improving Finnish-Canadian, or something,
29 relations. There were three prosecutions
30 against the Finnish Club. Being a member you



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1 would know about that. Who was charged
2 the first time?

3 A. John Pleschuk.

4 Q. Johnny Pleschuk. Who else?

5 A. I think Ken Carrier.

6 Q. Do you know John Pleschuk yet?

7 A. Yes, I do. We went to school
8 together.

9 Q. You went to school with him.

10 THE COMMISSIONER: Q. Where were you
11 born, sir?

12 A. In Italy.

13 Q. What part of Italy?

14 A. A little town just outside of
15 Naples.

16 Q. What is the name of it?

17 A. Cartesa.

18 Q. Spell it.

19 A. C-a-r-t-e-s-a.

20 Q. When did you come to Canada?

21 A. 1922. 1921.

22 Q. How old are you?

23 A. I am fifty-one.

24 MR. HOGG: Q. You came under the name
25 of Lafrade?

26 A. That is correct.

27 Q. Spelt the same way it is now?

28 A. No. This Lafrade on citizen
29 papers is spelt L-o-f-f-r-o-d-i.

30 Q. What would your name be registered



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1 in in Italy?

2 A. Under that spelling that I just
3 spelt.

4 Q. What was Johnny Fleschuk's
5 occupation?

6 A. He was a steward at the Finnish
7 Club.

8 Q. He did not do anything else
9 except be a steward there?

10 A. No, sir.

11 Q. Were you an officer of that club?

12 A. No, sir.

13 Q. How much did the steward get
14 paid?

15 A. I couldn't tell you.

16 Q. Well, about how much?

17 A. Oh, \$50, \$60 a week, \$70. I
18 haven't the slightest idea.

19 Q. Was not your brother Angelo
20 President of the Finnish Club? I mean, in name
21 only, but he was down as President?

22 A. Yes, I think he was.

23 Q. There were two prosecutions
24 against the Finnish Club and then it moved.
25 Do you remember it moved around the corner?

26 A. Moved around the corner?

27 Q. You fellows moved the physical
28 premises to another building.

29 A. In the same building.

30 Q. But you moved your club room, if



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1 you want to call it that, from one address
2 to another?

3 A. It was in the same building.

4 Q. Is my question not clear?

5 A. Yes, it is clear, but you said
6 "you moved around the corner", but it's in the
7 same building. The entrance was on 6th
8 Street and, then, we moved the entrance on
9 the lane side. Is that what you meant?

10 Q. And the police went in one day
11 and hid under a trap door with a tape recorder?

12 A. Yes.

13 Q. And charged Fleschuk. Were
14 you in court at that time?

15 A. No. Yes, I was there a day.

16 Q. Mr. Addison was the magistrate?

17 A. Yes.

18 THE COMMISSIONER: You are talking
19 about the first prosecution?

20 MR. HOGG: No, the last.

21 THE COMMISSIONER: Let us get this in
22 chronological order.

23 Q. There were three prosecutions.
24 The first was Fleschuk and Currier?

25 A. There were two prosecutions I
26 know of. If there is a third one I only
27 know two.

28 MR. HOGG: Q. It was Chappell and
29 Fleschuk, to begin with?

30 A. I don't remember that.



1 Q. Chappell. Then, there was
2 Currier, John Currier?

3 A. I don't know anything about
4 Chappell. I know Fleschuk and Currier.

5 Q. Then, there was the one where
6 Fleschuk got three months.

7 A. That is correct.

8 Q. And \$1,000 fine?

9 A. That is correct.

10 Q. You were in court during the
11 trial?

12 A. Partially.

13 Q. Most of it?

14 A. I wasn't at the end. I mean to
15 say, when --

16 Q. You were there with Joe McDermott
17 the first day?

18 A. Yes, Joe McDermott was there.

19 THE COMMISSIONER: Q. You were with
20 him?

21 A. Well, I come in by myself but
22 we sat together.

23 MR. HOGG: Q. Sat together right at
24 the back of the court?

25 A. That is right.

26 Q. And the Metropolitan police were
27 perhaps giving you -- under observation and
28 neither you nor McDermott came back the last
29 day?

30 A. No, I didn't come back. I don't



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1 know about the opposite case.

2 Q. McDermott owned the Finnish
3 Club, didn't he?

4 A. That is correct.

5 Q. And Johnny Pleschuk was an
6 employee of his?

7 A. He was the steward of the Finnish
8 Club.

9 Q. The steward. And Johnny got
10 the three months and Joe looked after his
11 family? Right?

12 A. I couldn't tell you.

13 Q. Here is a pal of yours, you have
14 gone to school with, who went off for three
15 months. You would be worried about his family?

16 A. Why?

17 Q. Wouldn't you?

18 A. No, sir.

19 Q. You knew they would be looked
20 after?

21 A. Why should I?

22 Q. I thought he was a friend of
23 yours.

24 A. He is. I mean to say, to talk
25 to.

26 Q. McDermott looked after his family?

27 A. I couldn't tell you. I don't
28 know anything about it.

29 Q. Who paid his fine?

30 A. I don't know. As far as I know,



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1 Pleschuk paid it himself.

2 Q. Where did he get the money for
3 it?

4 A. I couldn't tell you.

5 Q. Currier was just an employee,
6 wasn't he?

7 A. As far as I know, he was the
8 steward up at the other -- .

9 THE COMMISSIONER: Q. As far as you
10 know he was a steward up at what, where they
11 moved to?

12 A. No. There was another branch,
13 another store at Long Branch that Currier was
14 the steward of.

15 MR. HOGG: Q. Did Feeley have a piece
16 of the Finnish Club as well as McDermott?

17 A. I couldn't say.

18 Q. You just know about McDermott.
19 You have told us that already. They took
20 bets there, we know that; there was a tape
21 recording of it in evidence. You are aware
22 of that. Did they ever phone any bets out to
23 any place?

24 A. That I don't know.

25 Q. As far as you know they just
26 took them in?

27 A. I couldn't tell you that.

28 Q. Do you say you do not know
29 anything about that?

30 A. I don't know anything about it;





1 I never heard about it.

2 Q. You were in court and heard
3 that tape recording?

4 A. Yes, I knew I heard that, but as
5 far as being in the club when bets were taken
6 or relayed.

7 Q. Did you make any money out of
8 the club?

9 A. No, not a quarter.

10 Q. Did you do any work at the
11 club?

12 A. No.

13 Q. What did you do at the club?

14 A. Nothing. I used to go in there
15 and played cards.

16 MR. HOGG: It is twenty-five to twelve,
17 Mr. Commissioner, and I would like an opportunity
18 of checking through some files we have. I
19 did not know this man was going to be called
20 until last night.

21 Are you going to recess?

22 THE COMMISSIONER: If you want a
23 recess now is as convenient as any time.

24 ---Short recess.
25
26
27

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1 ---On resuming:

2
3 MR. HOGG: Q. Now during the recess,
4 Mr. Lafrade, I have had an opportunity to
5 do some addition. Of all the property you
6 have bought since 1955, it totals \$87,000,
7 right?

8 A. I make it 67.

9 Q. And you have borrowed how much?

10 A. 25 at one time and I borrowed
11 another 10 afterwards.

12 Q. How do you get 67?

13 A. Well, the Mississauga, I paid
14 cash, was \$40,000.

15 Q. That is the duplexes?

16 A. That is the duplexes.

17 Q. 20,000 apiece?

18 A. 20,000 apiece.

19 Q. So for the duplexes, \$40,000?

20 A. And Dixie Road in 1953 was
21 \$22,000.

22 Q. Right.

23 A. Elizabeth Street, we put \$5,000
24 down on the duplex. I think we bought that
25 in 1952 or '53, and we carried a mortgage on
26 that.

27 THE COMMISSIONER: Q. How much down?

28 A. We had \$5,000 apiece, my brother
29 and I, and we ---

30 Q. \$5,000 apiece?



Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.

Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.

Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.

Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.

Q. Now, I am going to ask you a question.

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Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.

Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.

Q. Now, I am going to ask you a question.

A. Yes, I am ready to answer your question.



- 1 A. Yes.
- 2 Q. \$10,000 altogether?
- 3 A. That is correct, and carried
- 4 \$11,000 mortgage on Elizabeth Street.
- 5 MR. HOGG: Q. Who held the mortgage?
- 6 A. I don't remember the people that
- 7 we bought the house from.
- 8 Q. You gave mortgage back?
- 9 A. Oh no, we paid so much a month
- 10 on the mortgage.
- 11 Q. Who held the mortgage?
- 12 A. The people we bought the house
- 13 from, Soobe, I think it was.
- 14 Q. You gave a mortgage back?
- 15 THE COMMISSIONER: Q. For how much?
- 16 A. \$11,000.
- 17 MR. HOGG: Q. How much have you paid
- 18 off on that?
- 19 A. \$50 a month on the principal,
- 20 plus the interest, and carried it for five
- 21 years.
- 22 Q. Is it all paid off now?
- 23 A. We paid it off, I think, 1957,
- 24 '58, the balance of it, which is another \$4,000,
- 25 but since, I believe, then, the property
- 26 has been sold.
- 27 Q. Pardon?
- 28 A. That property has been sold.
- 29 Q. What did you sell it for?
- 30 A. \$21,000.





1 THE COMMISSIONER: Q. That is what you
2 paid for it?

3 A. That is what we paid for it.

4 Q. And you sold it for exactly
5 what you paid for it?

6 A. 21 or 21-5, your honour. I
7 think it was 21-5, if I am not mistaken, and
8 we paid \$21,000. We paid it off in, oh,
9 I think it was six years, six, seven years.
10 We collected the rent off it, \$210 a month for
11 the place.

12 MR. HOGG: Q. You told the Commissioner
13 you saved some money from driving a truck?

14 A. Yes, sir.

15 Q. How much did you save?

16 A. I saved about \$30,000.

17 Q. Driving a truck?

18 A. Yes.

19 Q. That would have been in the
20 bank, of course?

21 A. No, it wasn't in the bank.

22 Q. Where was it?

23 A. I kept it in a safety deposit box.

24 Q. Where?

25 A. The Bank of Nova Scotia.

26 Q. The one you told the Commissioner
27 about?

28 A. Yes.

29 THE COMMISSIONER: Q. Have you filed
30 income tax returns?



THE UNIVERSITY OF CHICAGO

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1 A. Yes, I have, your honour.

2 Q. Have you them at home? The
3 copies?

4 A. Yes, I have. I was called to
5 the income tax in 1957, your honour, and I
6 paid quite a chunk, and it ---

7 MR. HOGG: Q. Have you ---

8 THE COMMISSIONER: Q. Go on.

9 A. They went back from 1950 to 1958
10 to pay income taxes.

11 Q. They checked up on you in 1957?

12 A. That is correct.

13 Q. How far back did they go?

14 A. They went back to 1950.

15 Q. Back to 1950. How much did
16 you have to pay?

17 A. Close to \$16,000.

18 MR. HOGG: Q. Cash?

19 A. That is right.

20 Q. How did you pay them?

21 A. Paid it in cash.

22 Q. In cash?

23 A. I borrowed \$5,000.

24 THE COMMISSIONER: Q. Who from?

25 A. From Mr. Laurent, Eastwood Park
26 Hotel, Long Branch.

27 Q. When?

28 A. 1958.

29 MR. HOGG: Q. What about the other
30 \$11,000?



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1 A. I had some money.

2 Q. Where?

3 A. At home.

4 Q. In a box?

5 A. Hum-hum.

6 Q. \$11,000 in cash?

7 A. I borrowed some.

8 THE COMMISSIONER: Q. No, no. You borrowed
9 \$5,000 and had to pay \$16,000.

10 A. \$15,000 and change.

11 Q. You borrowed \$5,000 and you had
12 \$10,000 tucked away in a box at home. Is that
13 your evidence on oath?

14 A. That is right.

15 Q. How long did you have to get it?

16 A. Not very long.

17 Q. How long, please?

18 A. Oh, a year or two.

19 Q. Well, was it one or two years?

20 A. Two years.

21 Q. Where did you get it?

22 A. I saved it.

23 Q. Over what period of time did you
24 save \$10,000?

25 A. Well, I had a piece of property
26 in Long Branch, your honour, and I bought it
27 for \$4,000 and sold it to the Prudential Life
28 for \$12,000 and I made a gain of about \$8,000
29 there.

30 Q. You put it where?





1 A. In a safety deposit box.

2 Q. That isn't what we are talking
3 about. We are talking about the money you had
4 in a box at home. Where did you get that
5 money?

6 A. I saved it.

7 Q. From what?

8 A. Gambling.

9 Q. Gambling. You saved \$10,000,
10 or saved \$10,000 from gambling in what period
11 of time?

12 A. About two years.

13 Q. How did you describe yourself on
14 your income tax return?

15 A. Well, at the time I described
16 myself as a gambler.

17 Q. In your income tax return?

18 A. That is right.

19 Q. And not as a real estate man?

20 A. No, sir.

21 MR. HOGG: Q. How much did you get paid
22 as a truck driver?

23 A. I got paid \$45 a week.

24 Q. When was the last time you worked
25 as a truck driver?

26 A. 1949.

27 Q. Are you trying to say you saved
28 up thousands and thousands and thousands of
29 dollars?

30 A. I made a lot of money then when the



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1. The first part of the book is devoted to a general survey of the subject.
2. The second part is devoted to a detailed study of the various aspects of the problem.
3. The third part is devoted to a critical examination of the existing literature.
4. The fourth part is devoted to a comparison of the results obtained with those of other workers.
5. The fifth part is devoted to a discussion of the implications of the results for the theory.
6. The sixth part is devoted to a summary of the main results and conclusions.
7. The seventh part is devoted to a list of references.
8. The eighth part is devoted to an index of subjects.
9. The ninth part is devoted to a list of names.
10. The tenth part is devoted to a list of symbols.
11. The eleventh part is devoted to a list of abbreviations.
12. The twelfth part is devoted to a list of footnotes.
13. The thirteenth part is devoted to a list of appendices.
14. The fourteenth part is devoted to a list of tables.
15. The fifteenth part is devoted to a list of figures.
16. The sixteenth part is devoted to a list of plates.
17. The seventeenth part is devoted to a list of maps.
18. The eighteenth part is devoted to a list of diagrams.
19. The nineteenth part is devoted to a list of photographs.
20. The twentieth part is devoted to a list of illustrations.
21. The twenty-first part is devoted to a list of specimens.
22. The twenty-second part is devoted to a list of models.
23. The twenty-third part is devoted to a list of experiments.
24. The twenty-fourth part is devoted to a list of observations.
25. The twenty-fifth part is devoted to a list of measurements.
26. The twenty-sixth part is devoted to a list of calculations.
27. The twenty-seventh part is devoted to a list of derivations.
28. The twenty-eighth part is devoted to a list of proofs.
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98. The ninety-eighth part is devoted to a list of subjects.
99. The ninety-ninth part is devoted to a list of references.
100. The hundredth part is devoted to a list of conclusions.



1 beer was rationed.

2 Q. That was your evidence before
3 the recess, you saved this money up from driving
4 a truck. Now, you are under oath.

5 A. Yes, sir.

6 Q. Is that correct?

7 A. That is correct.

8 THE COMMISSIONER: Q. You had \$10,000
9 at home in a box. What kind of a box?

10 A. An ordinary box.

11 Q. A shoe box or what?

12 A. A tin box.

13 Q. Where did you keep it?

14 A. In the drawer.

15 Q. Where?

16 A. In the dresser drawer.

17 Q. You kept it in the dresser drawer
18 in your house. And in addition to that you
19 had some money in a safety deposit box?

20 A. That is right.

21 Q. How much?

22 A. Before I bought the building I
23 had about \$25,000.

24 Q. In the safety deposit box?

25 A. Yes.

26 Q. When did you buy the building?

27 A. I bought the building in 1955.

28 Q. Just a moment. Where was the
29 building?

30 A. Mississauga Road.



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1 Q. At the time you bought it, you had
2 \$25,000 in a safety deposit box?

3 A. No, I didn't have quite that
4 much at the time.

5 Q. How much, then?

6 A. About 15.

7 Q. Why did you have \$15,000 in
8 securities in a safety deposit box and \$10,000
9 in a tin box in your dresser? Why didn't
10 you put it all in the safety deposit box?

11 A. I kept some money on hand.

12 Q. For what purpose?

13 A. Well, I gamble. Sometimes you
14 run into a losing streak.

15 Q. Well, I know, but it ^{seem} doesn't/to
16 ^{common} be sense to me, that you would have \$15,000
17 in security in a safety deposit box and keep
18 \$10,000 in a tin box in your dresser drawer.

19 A. It is just as safe at home there
20 as it is at the bank.

21 Q. Did anybody know you had this
22 money in your tin box?

23 A. My mother knew about it.

24 Q. How old is she?

25 A. 71.

26 Q. Did anybody else know about it?

27 A. That is all.

28 Q. That is all. When you made the
29 payments on the mortgage on the Elizabeth
30 Street house, did you pay it by cheque?



It is the purpose of this report to...

The following table shows the...

The results of the investigation...

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1 A. Well, we took the cash over to
2 Douglas and Johnson and they paid by cheque.

3 Q. Have you got your income tax
4 returns back for 1950, in your possession?

5 A. I haven't got them from 1950.
6 I have a statement from 1950 to 1958, and I
7 have the return for 1960 and '61. I haven't
8 the return for 1961, yet.

9 Q. In each of the years from 1950
10 to 1957, did you pay income tax?

11 A. Yes, I did.

12 Q. How much?

13 A. Oh, I paid two or three hundred
14 dollars a year. It varied.

15 Q. In 1957 the Income Tax Department
16 got after you and you had to pay \$16,000?

17 A. I didn't show the revenue I
18 was collecting from the apartment and duplex
19 on the Mississauga Road and Elizabeth Street
20 properties.

21 Q. And you had to pay \$16,000?

22 A. Pretty close to it.

23 THE COMMISSIONER: Pretty close to \$16,000.
24 Yes.

25 MR. HOGG: Q. More seems to be
26 coming out. Have you owned any other properties
27 at any other time, other than the ones you
28 have told us about?

29 A. No, that is all.

30 Q. You know what I mean now. Have





1 you bought and sold any that you haven't
2 told us about?

3 A. No, just the property I had
4 there in Long Branch and sold it to the
5 Prudential.

6 Q. Does your mother hold any property?

7 A. The house they live in on Forest
8 Street.

9 Q. Do your sisters or brothers hold
10 any property for you?

11 A. No.

12 Q. Do you own an interest in any
13 property?

14 A. None whatsoever.

15 Q. Who is Ralph Clark?

16 A. He is a fellow who lives in Port
17 Credit.

18 Q. What does he do?

19 A. I don't know what he is doing now.
20 I haven't seen him for a few years.

21 Q. What did he used to do?

22 A. He used to bookie years back,
23 that I know of.

24 Q. Did you ever work for him?

25 A. No, sir.

26 Q. Do you know him pretty well?

27 A. Yes, I know Ralph.

28 Q. Were you ever raided by the police
29 or Sergeant Anderson, some years back?

30 A. No, sir. I was raided by Sergeant



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1 Cronin.

2 Q. Sergeant Cronin. There was
3 something about a cigarette package, wasn't
4 there?

5 A. That is correct.

6 Q. When was this?

7 A. I don't remember if it was 1953
8 or 1954. It could have been either 1953
9 or '54.

10 Q. You were making book then, you
11 told us?

12 A. That is right, at 7th Street.

13 Q. Where?

14 A. 7th Street.

15 Q. New Toronto?

16 A. New Toronto.

17 Q. What was 7th Street? A home, or
18 what? A cigar store?

19 A. It was an old house and a little
20 store in the bottom.

21 Q. Sergeant Cronin raided you?

22 A. Hm-hmm.

23 Q. Tell us about the cigarette
24 package.

25 A. Well, evidently somebody dropped
26 a package of cigarettes and there happened to
27 be slips in it and the police picked it up
28 and opened it and found a slip with a bunch
29 of horses written on it.

30 Q. In your writing?



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1 A. No, it wasn't my writing and it
2 wasn't Clark's, that I know of. At least, he
3 said it wasn't.

4 Q. You suspected that was planted,
5 didn't you?

6 A. Well, I couldn't say for sure,
7 but it looked that way.

8 Q. By Feeley and McDermott?

9 A. I couldn't say.

10 Q. That is the way you thought at
11 the time, wasn't it?
12 didn't

13 A. I think anybody at the time.
14 There happened to be three or four men in the
15 place when the police walked in and picked
16 up the package of cigarettes, Black Cat, opened
17 it and found a slip in it and a bunch of
18 horses written on it.

19 Q. Didn't Feeley and McDermott
20 want to knock you out at that time and get
21 you working for them?

22 A. If they did, I didn't know it
23 at the time.

24 Q. Tell us what you know? What
25 you found out about it later.

26 A. I didn't find out much later.

27 Q. What did you find?

28 A. Nothing.

29 Q. You said you didn't find out too
30 much.

A. I didn't find out anything.



Q. Now, is there any difficulty and is
there any difficulty, that I know of, in
that is wrong?
A. I am concerned that you know,
that's your
Q. Well, I couldn't say for sure,
but it is about that way.
A. By being and knowing
Q. I would say.
A. That is the way you would do
the same, wasn't it?
Q. I think you would be the same.
Q. There is no way in which you would be the
same as the police officer in the same
up the number of officers, didn't you?
Q. And found a slip in it and a corner of
between them on it.
Q. That's what you would do.
Q. And to know you are at that time and that
you would be the same.
Q. Is that all, I don't know of
on the same.
Q. Will you read your answer, please.
Q. You found out about it later.
Q. I think's time and when I was
Q. Was that all?
Q. Nothing.
Q. You were not at that time and the
much.
Q. I don't think you are anything.



1 Q. Why did you say "too much"?

2 A. At the time you said to me: "You
3 to
4 went ^{to} work for him". I didn't go to
5 work for anybody.

6 Q. You suspected Feeley and McDermott
7 had set you up?

8 A. No, I didn't suspect anybody.
9 Somebody did, no doubt about it, but I didn't
10 know who did.

11 Q. Later on, did you suspect them?

12 A. No, sir.

13 Q. Did you tell anybody about it?

14 A. No, sir.

15 Q. What happened to the case?

16 A. We won it. As a matter of fact,
17 after we won it, a week after, Inspector
18 Tonlinson came in, and the way he explained it,
19 he happened to be on his holidays when this
20 incident took place, and he said to me, "I am
21 glad you won the case because if you hadn't
22 we would have put an appeal in, because to
23 me it looked - it stunk ^{right} from the start.
24 Somebody did it deliberately."

25 Q. Did he indicate who he thought
26 had done it?

27 A. No, there was no names mentioned.

28 Q. Cronin found this, did he?

29 A. I couldn't say. I wasn't in
30 the store when it happened.

Q. How well did you know Cronin?



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1 A. It is several -- I saw him
2 several times, that is all.

3 Q. After he left the Force, you saw
4 him?

5 A. No, I haven't seen him since he
6 left the Police Force. I haven't seen
7 Cronin for years.

8 Q. How often did you go to the
9 Centre Road Club?

10 A. Oh, once in a while. Not very
11 often.

12 Q. What did you do there?

13 A. Played gin and played poker and
14 rummy.

15 Q. There was always a banked crap
16 game going on out there?

17 A. I couldn't tell you whether it
18 was a banked game or a fade game or what it
19 was. I didn't play.

20 THE COMMISSIONER: Q. What did you
21 win all your money gambling at?

22 A. I played gin, your honour, and
23 I played poker.

24 Q. Is that all?

25 A. Yes.

26 Q. You seem to be a very lucky fellow.

27 A. I have been playing cards for
28 years. Played cards all my life, practically.
29 I love playing cards. I don't know anything
30 about dice.



Q. Now, did you see the man who was with the woman?

A. Yes, I saw him. He was standing near the door.

Q. Did you see him again after that?

A. No, I did not see him again.

Q. Did you see the woman again after that?

A. Yes, I saw her again. She was standing near the door.

Q. Did you see her again after that?

A. No, I did not see her again.

Q. Did you see the man again after that?

A. No, I did not see him again.

Q. Did you see the woman again after that?

A. Yes, I saw her again. She was standing near the door.

Q. Did you see her again after that?

A. No, I did not see her again.

Q. Did you see the man again after that?

A. No, I did not see him again.

Q. Did you see the woman again after that?

A. Yes, I saw her again. She was standing near the door.

Q. Did you see her again after that?

A. No, I did not see her again.

Q. Did you see the man again after that?

A. No, I did not see him again.

Q. Did you see the woman again after that?

A. Yes, I saw her again. She was standing near the door.

Q. Did you see her again after that?

A. No, I did not see her again.

Q. Did you see the man again after that?

A. No, I did not see him again.

Q. Did you see the woman again after that?

A. Yes, I saw her again. She was standing near the door.

Q. Did you see her again after that?



1 MR. HOGG: Q. Who did you win all the
2 money off?

3 A. A lot of people go out there.

4 Q. You won all this at the Veterans
5 Club?

6 A. No, not all at the Veterans
7 Club. There were other games.

8 THE COMMISSIONER: Q. Where?

9 A. House games, around town, in the
10 city.

11 MR. HOGG: Q. How much did you get
12 from the Finnish Club?

13 A. Nothing.

14 Q. You say you never got a cent
15 out of the Finnish Club?

16 A. Not a quarter.

17 Q. Did you ever see Maxie Baker out
18 at the Finnish Club?

19 A. No. I heard of him but never
20 saw him.

21 Q. Never saw him?

22 A. No, sir.

23 MR. HOGG: I think that is all, Mr.
24 Commissioner. No doubt this witness might
25 be brought back later when some other material
26 is available?

27 THE COMMISSIONER: He will be around.
28 Any questions?
29
30



THE BUREAU OF PLANT INDUSTRY

WASHINGTON, D. C.

A list of the plants of the United States

and the plants of the foreign countries

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and the plants of the foreign countries

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EXAMINED BY MR. SHIMM:

Q. I have been also doing a little addition, witness. You say the amount of money you saved was approximately \$25,000?

A. Around that.

Q. I believe the Commissioner has added \$27,000 and that would make \$52,000; is that correct?

A. That is correct.

Q. Now, the total money spent for property would be about \$67,000. You mentioned you borrowed \$10,000?

A. That is right.

Q. Where did you borrow it from?

A. I borrowed a little from my sisters and my brother, 1,500 and \$2,000.

Q. You indicated before, you borrowed \$27,000 off your sisters?

A. I borrowed 25 at the start, and another 10,000 later on when I bought the house on Dixie Road. That was three years later.

Q. What year was that?

A. 1958.

Q. You borrowed from your brothers and sisters \$35,000?

A. That is correct.

Q. How much of that have you paid back?

A. About \$7,000.



EXHIBIT 10-10-10

I have been since 1910

nothing, however, you are not aware of

money you have not contributed to the fund

I have been since 1910

I have been since 1910

added \$2,000 and the total was \$10,000

is not correct

I have been since 1910

Now, we have not only been the

company will be paid \$10,000. The balance

and balance \$10,000

I have been since 1910

I have been since 1910

I have been since 1910

nothing and my brother, I have not been

I have been since 1910

\$10,000 off your account

I have been since 1910

nothing \$10,000 from me when I was in the army

on this date. This was from your account

I have been since 1910

I have been since 1910

I have been since 1910

and balance \$10,000

I have been since 1910

I have been since 1910

I have been since 1910



1 Q. What income did you derive from
2 your properties?

3 A. About \$6,300 a year.

4 Q. \$6,300 a year?

5 A. Yes.

6 Q. And you paid back your brothers
7 and sisters, you say, about \$28,000?

8 A. No, I paid about \$6,000 or \$7,000.

9 Q. So you still owe them \$28,000
10 or \$29,000?

11 A. Yes.

12 Q. What about the money you received
13 from the duplexes?

14 A. That is the money I used to pay
15 them back, to pay some of it.

16 Q. So you have collected, since
17 1955, about \$42,000, and you paid back \$6,000
18 out of that money. What have you done with
19 the other \$36,000?

20 A. I paid the income tax, there.
21 19, \$16,000 it cost me in 1958.

22 Q. I thought you borrowed some of
23 that money.

24 A. I borrowed \$5,000 and I paid
25 that back to Mr. Laurent of Eastwood Park.

26 Q. Now, you say you saved the money
27 from selling or from working as a truck driver?

28 A. Hm-hum.

29 Q. You were paid \$45 a week. That
30 would be about \$2,500 a year?



IN RE: [Name]

EXHIBIT [Number]

A. About \$10,000 a year.

Q. \$10,000 a year.

A. Yes.

Q. And you said that was [unclear]

Q. Yes, that was [unclear]

A. No, I paid about \$10,000 or \$12,000.

Q. So you could not [unclear]

Q. \$10,000?

A. Yes.

Q. What about the money you received?

Q. [unclear]

A. This is the money I used to [unclear]

them back, to pay some of it.

Q. [unclear]

1935, about \$10,000, and you said some of that

out of that money. What have you done with

the other \$10,000?

A. I paid the income tax, 1935.

Q. \$10,000 is cost of in 1935.

Q. I thought you borrowed some of

that money.

A. I borrowed \$10,000 and I paid

that back to Mr. [unclear] of [unclear] [unclear]

Q. Now, you say you have the money

from selling or from [unclear] in a [unclear] [unclear]

A. [unclear]

Q. [unclear]

Q. [unclear]

Q. [unclear]



1 A. Well, I averaged close to \$100
2 on tips.

3 Q. \$100 a week on tips?

4 A. Pretty close to it. Between
5 \$75 and \$100. At the time the beer was
6 rationed, and every time you did them a little
7 favour, you got paid for it.

8 Q. Where did you get the beer when
9 it was rationed?

10 A. At the Brewers Warehouse in
11 Mimico.

12 Q. Did you have special privileges
13 for getting beer?

14 A. Not exactly special privileges.
15 I mean to say, at the time you used to be
16 allowed a case a month and a lot of them used
17 to have these ration books and people didn't
18 use their coupons, and we used to accumulate
19 some of the coupons and if you dropped them
20 off a case, the people, they would tip you half
21 a dollar or a buck.

22 Q. You had a case a month, and out
23 of that case a month you made \$100 a month
24 in tips?

25 A. That is right.

26 Q. Now, you told Mr. Hogg about a
27 conversation you had with Feeley and McDermott.
28 Was anything ever said to you about your
29 testifying at this Commission?

30 A. No, sir, there wasn't.





1 MR. SKIME: I have no more questions,
2 my lord.

3 MR. HOGG: I just wonder if you would like
4 to ask this witness if you have seen Mr. Walton
5 Rose in the past, my lord.

6 THE WITNESS: I don't even know Mr.
7 Rose.

8 THE COMMISSIONER: Mr. Wilson?

9
10
11
12
13 EXAMINED BY MR. WILSON:

14
15 Q. What bank accounts have you had
16 in the last five years?

17 A. The Bank of Nova Scotia is the
18 only bank account.

19 Q. What branch?

20 A. New Toronto branch.

21 THE COMMISSIONER: Q. Savings or current?

22 A. Savings.

23 MR. WILSON: Q. What number?

24 A. 1086.

25 Q. Have you any safety deposit boxes
26 anywhere in the last five years?

27 A. At the Bank of Nova Scotia.

28 Q. The same branch?

29 A. Same branch.

30 Q. That is all for the time being.



THE UNITED STATES OF AMERICA

1914

IN SENATE, JANUARY 1, 1914.

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE

FOR THE YEAR 1913

AND FOR THE PERIOD FROM JANUARY 1, 1912, TO DECEMBER 31, 1913

BY

JOHN H. HARRIS, COMMISSIONER

WASHINGTON, D. C.

THE UNITED STATES OF AMERICA

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1 A. Thank you.

2 MR. WILSON: I want to recall Mrs.
3 Costello for one question.

4 THE COMMISSIONER: Just a moment. Wait
5 a minute.

6 Q. Where is the Bank of Nova Scotia?

7 A. New Toronto.

8 Q. Where in New Toronto?

9 A. Lake Shore Road. I don't know
10 the number. The corner of 6th Street and
11 Lake Shore.

12 Q. Is your sister's bank there, too?

13 A. I couldn't tell you where their
14 bank accounts are.

15 Q. They have bank accounts?

16 A. I presume they have, yes.

17 Q. All right. You may be recalled.

18 A. Yes, sir.

19
20 ---Witness withdrew.

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1	A. Frank says
2	Mr. Wilson I don't recall that
3	possibly for the first time
4	THE QUESTION: Just a moment, will
5	you please
6	There is the back of your pocket
7	the money
8	There is the money
9	Just a moment, I don't know
10	the number, the owner of the money and
11	have them
12	Is your client's name there, too?
13	I don't recall the name
14	both accounts are
15	They have both accounts
16	I presume they have, too
17	It is not the one in question
18	Yes, sir
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HELEN MARY COSTELLO, Recalled

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2
3 THE COMMISSIONER: You are still under
4 oath.

5 THE WITNESS: Yes, sir.

6 MR. WILSON: Q. During this period
7 from May to July of 1958, when your telephone
8 was used, did you have a discussion with a
9 Bell Telephone supervisor about some of the
10 charges?

11 A. No.

12 Q. Did a supervisor not call you
13 about some of the charges?

14 A. No.

15 Q. I want you to think very carefully
16 about this.

17 A. No, I am positive.

18 Q. Because I suggest to you that a
19 supervisor did call you and told you about a
20 conversation she had had with Mr. McDermott,
21 who had explained to her that he had arranged,
22 for business reasons, with the party who had
23 telephone Cr. 8-2538, to use that phone for
24 certain long-distance calls. I am suggesting
25 to you that that supervisor at the Bell
26 Telephone told you what Mr. McDermott had told
27 her.

28 Now, what do you say as to that?

29 A. On my honour, I don't know
30 anything of it. I know nothing of it.



STANDARD, 1910

THE STANDARD, 1910

THE STANDARD, 1910

THE STANDARD, 1910

From May to July of 1910, when your telephone

was used, did you have a conversation with a

girl telephone operator, whom you saw in the

operator

A. No.

Q. Did you see a telephone operator in the

about some of the operators

A. No.

Q. I want you to think very carefully

about this.

A. No, I am positive.

Q. Because I suggest to you that a

operator, and will you not think of

anyone else who had any part in the

and had anything to do with the telephone

for business purposes, from the time you

telephone to the time you saw the

operator, and will you not think of

to you that you saw the operator of the

Telephone, and will you not think of

any.

Q. What do you say to this?

A. As an answer, I can't think

anything of it. I have nothing to say.



1 Q. Do you deny that this supervisor
2 called you and made that statement to you?

3 A. I do.

4 Q. Now, I want you to think very
5 carefully.

6 A. I am sorry.

7 Q. Because I am going to call this
8 person.

9 A. I am. I have no idea. I heard
10 nothing of it until just now.

11 Q. Also, I suggest to you that you
12 told this supervisor that you knew McDermott.
13 Now, did you or did you not know McDermott?

14 A. Absolutely not. And I never
15 told the supervisor that, neither, because I
16 never spoke to her.

17 Q. And you deny that you told the
18 supervisor that McDermott was trying to evade
19 the Ontario Provincial Police because he was
20 a gambler?

21 A. I certainly do.

22 THE COMMISSIONER: Q. Is there anybody
23 else who lives at your house where this
24 telephone was?

25 A. No, your lordship.

26 Q. You live there alone?

27 A. Yes, sir.

28 Q. And it is an apartment?

29 A. Yes.

30 Q. Nobody occupies that except you?





1 A. No.

2 MR. WILSON: Q. During this period,
3 if the supervisor called Crescent 2538 --
4 Crescent 8-2538, who would there be to
5 answer the phone, except yourself?

6 A. There would be no one.

7 Q. Did any other person have access
8 to your apartment during that period from
9 May through to July, 1958?

10 A. No, sir, except the caretaker.
11 I suppose he would have a key.

12 Q. And you were the only woman who
13 would be occupying that apartment?

14 A. Yes, sir.

15 Q. Where that number was located
16 during that period?

17 A. Yes, sir.

18 Q. And you are swearing under oath
19 that you never had any such discussion with
20 any person calling from the Bell Telephone
21 Company?

22 A. Absolutely not.

23 MR. WILSON: All right. That is all for
24 the present time.

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[illegible]



1 EXAMINED BY MR. HOGG:

2 Q. Were you in or out of the room
3 when I was cross-examining Lafrade?

4 A. I was out of the room, sir.

5 Q. Now, Lafrade has told us that
6 Feeley telephoned him and ordered him to meet
7 them at a restaurant. He met McDermott and
8 Feeley at a restaurant. Lafrade has also
9 testified in that witness box, under oath, that
10 he talked to you after the subpoenas were issued
11 to him.

12 A. Mr. Lafrade has spoken to me?

13 Q. No, I am just saying what Mr.
14 Lafrade has said in the witness box while you
15 were out of the room.

16 A. I don't quite understand what
17 you are saying. I am sorry.

18 Q. We will go over it again. Lafrade
19 has told us, under oath, that Feeley telephoned
20 him and ordered to meet him in a restaurant
21 out in New Toronto, and he went to the restaurant
22 and McDermott and Feeley were there and they
23 asked him, amongst other things, whether he
24 had been subpoenaed to this Royal Commission.

25 That is one thing Lafrade has told
26 us. Lafrade has also told us, under oath,
27 while you were out of the room, amongst other
28 thing he has told us that he spoke to you
29 after he received a subpoena to come here.
30



STATE OF NEW YORK

In SENATE,

January 1, 1901.

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

FOR THE YEAR 1900.

ALBANY:

JOHN B. LEECH, PRINTERS.

1901.

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1 THE COMMISSIONER: Q. Now, did he?

2 A. Yes.

3 Q. When and where?

4 A. Last night on the telephone.

5 MR. HOGG: Q. Now, did he tell you that
6 he had spoken to McDermott and Feeley? Think
7 carefully because Lafrade has been in that
8 witness box.

9 THE COMMISSIONER: All right, now, you
10 put the question to her.

11 THE WITNESS: I don't believe he did.

12 MR. HOGG: Q. What did he say to you?

13 A. I told him that I had been
14 called by the Commission to appear this morning
15 at ten o'clock and, of course, I knew that he
16 was going to be subpoenaed, too, because the
17 other morning, when I was in the room with
18 Mr. Wilson -- I believe it is Mr. Wilson --
19 he sent a subpoena to him, and I said, "Well,
20 I am going tomorrow morning, too, at ten
21 o'clock." And he didn't mention McDermott
22 and Feeley to me.

23 Q. Are you positive about that?

24 A. I am positive, sir.

25 Q. Have you talked to him at any
26 other time, Lafrade, about this Commission?

27 A. Naturally, yes.

28 Q. What has been said?

29 A. Not too much about anything, except
30 I was concerned that I didn't know McDermott



Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.

A. Yes, sir.

Q. Now, I am going to ask you a few questions.



1 him then about his being called to the
2 Commission?

3 A. No. I just said, "I imagine
4 you are going to be subpoenaed because that
5 is what I heard in the office".

6 MR. SHINE: Thank you.

7 MR. WILSON: That is all. I think you
8 better stay around. We may have more later
9 on.

10 THE WITNESS: All right.

11
12 ---Witness withdrew.

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17 MR. WILSON: I will call Chief
18 Constable Shrubbs.

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1 WILLIAM JACK SHRUBBS, Recalled

2 THE COMMISSIONER: You are still under
3 oath.

4 THE WITNESS: Yes, my lord.

5
6 EXAMINED BY MR. WILSON:

7
8 Q. Now, when you were in the
9 witness box earlier, there was some mention
10 made of the prosecution of the Tisdale Club
11 in Peterborough?

12 A. Yes, sir.

13 Q. And I think one of my friends
14 read to you from Exhibit 124-A, a report
15 you had made dated April 11th, 1961, which
16 covered a number of matters and, particularly,
17 referred to a reference under date of October
18 10th, 1956.

19 THE COMMISSIONER: Let me see that
20 exhibit, please, 124-A.

21 MR. WILSON: October 10th, 1956, a
22 reference made of the Tisdale Club of certain
23 alleged irregularities.

24 MR. HOGG: Mr. Wilson, will you give
25 me the page number of that?

26 MR. WILSON: 124-A, item 15. I haven't
27 got a copy.

28 THE COMMISSIONER: Have you a copy there
29 now?

30 MR. WILSON: I have now, Mr. Commissioner.



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U.S.A.



1 THE COMMISSIONER: It is October 11th,
2 1956 -- oh, I see.

3 MR. WILSON: October 10th, 1956, was the
4 one I was referring to. Item 18 on page 10.

5 Q. Now, we have heard some of
6 the story of the Tisdale Club and I want to
7 try to be as brief as possible in developing
8 the facts, until we get to the issue that I
9 think you raised in connection with this
10 prosecution.

11 There was a charge against four persons,
12 wasn't it? Ronald Horton, Neil Harrington,
13 Richard O'Brien and Kenneth Fleetwood?

14 A. That was the second prosecution.

15 Q. Was that not the first, as well?

16 A. There were perhaps three or
17 four more persons included in the first
18 prosecution, and then after the appeal, the
19 direction was to only lay charges as against
20 the four principal keepers.

21 Q. Maybe we can get at it this way.
22 What was the date of the raid that resulted
23 in the prosecution?

24 THE COMMISSIONER: That is the first
25 prosecution?

26 MR. WILSON: The first prosecution.





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A. I would say it was in the early morning of Saturday, November 5th, 1955.

MR. WILSON: Q. Well then, that matter came on before Magistrate Phelps, was it?

A. That is right sir, and he registered a conviction against the four persons I have named, plus three or four others.

Q. Well, the charges were dismissed, I believe, against the other three?

A. Against the other three, yes.

Q. And what was the penalty that he imposed?

A. Horton and Harrington received four months jail terms, and Fleetwood and O'Brien were fined, I believe it was two hundred dollars and costs.

Q. Then there was the sum of \$1400 that had been seized at the time of the raid?

A. Yes sir.

Q. And Magistrate Phelps, as I recall, did not dispose of that?

A. Not at that time, that is right.

Q. At the time, because an appeal was taken on behalf of the accused?

A. Well, he had, as I recall it, he had his own opinion as to when was the proper time to present a forfeiture or



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1 confiscation.

2 THE COMMISSIONER: He didn't know
3 anything about it?

4 A. No, he didn't. Then the
5 appeal was filed before anything was taken.

6 MR. WILSON: Q. And the Court of
7 Appeal quashed the conviction?

8 A. That is right, sir.

9 Q. And following that, there was
10 a further trial?

11 A. That is right.

12 Q. And am I right in saying, that
13 by reason of the fact that Phelps had -
14 the local magistrate had presided at the first
15 trial, and Magistrate Partron was assigned to
16 the case?

17 A. That is right sir.

18 Q. And then there were adjournments
19 from time to time?

20 A. Yes sir.

21 Q. And finally he took under
22 advisement the question as to whether he would
23 adjudicate upon the matter merely by reading
24 the transcript of the first trial.

25 THE COMMISSIONER: He read it in any
26 event.

27 A. Yes, that's right.

28 MR. WILSON: Q. And then did he not
29 come to the decision or make the decision that
30 he, after reading the transcript, that he



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1 would hear the witnesses before he rendered
2 his decision?

3 A. That is right.

4 Q. And at that point there was
5 a question as to his right to hear the case,
6 or that Mr. Bradshaw, the Crown Attorney,
7 raised the question as to whether he
8 disqualified himself by reading of or having
9 read the previous evidence, and then deciding
10 to go ahead and hear evidence?

11 A. No, I don't believe that to
12 be a fact sir. The Crown attorney did not
13 raise any objection at that time at all. It
14 was after we had returned to Toronto, and
15 sometime afterwards, and we had talked this
16 matter over amongst ourselves, and we in
17 our own office, felt that Magistrate Bartrem
18 having perused the transcript of the evidence,
19 and then ask to call to hear the witnesses,
20 that he was in the same position as what
21 Magistrate Phelps had been with respect to
22 hearing the second set of charges. As I
23 recall it, then Sergeant Anderson either wrote
24 the memorandum, or brought this to the
25 attention of, either directly to the officials
26 of the Attorney General's Department, or
27 through our own senior Administrative officers,
28 and it was then that we went back, and Magistrate
29 Hopkins was detailed to hear the case.
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1 THE COMMISSIONER: Does it make
2 much difference who raised the question? It
3 was finally raised in any event.

4 MR. WILSON: I don't think it matters
5 too much. I recall reading one of these
6 reports in which the witness stated that the
7 Crown Attorney had raised the point. However,---

8 MR. WILSON: Q. In any event, then
9 Magistrate Hopkins from Hamilton was assigned to
10 the case?

11 A. Yes, that is right, sir.

12 Q. And the case came on for
13 hearing finally, and disposition on what date?
14 I think it was January 6th, 1957, for your
15 assistance?

16 A. Yes, that is right,
17 January 6th, 1957, was the disposition against
18 the keepers.

19 Q. And before I leave that
20 last point, on looking at your report of
21 November 29th, 1956 on this matter, I read
22 from the second paragraph, in part:

23 "The Crown Attorney stated that

24 "it was felt Magistrate Hartrem

25 "had disqualified himself from

26 "dealing further with this case

27 "as a result of this procedure.

28 "Magistrate Hopkins therefore had

29 "been assigned to hear the case."

30 It seems to confirm my recollection of



THE SECRETARY OF THE ARMY
WASHINGTON, D. C.
JANUARY 10, 1917
SIR:
I have the honor to acknowledge the receipt of your letter of the 9th inst. in relation to the matter of the proposed extension of the term of the contract for the purchase of the material for the construction of the new building for the Quartermaster General's Office, and in reply to inform you that the same has been referred to the proper authorities for their consideration.
Very respectfully,
Your obedient servant,
J. H. ...
Colonel, Quartermaster General's Office
Washington, D. C.

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1 what you did at that time.

2 A. I was thinking that you
3 meant that this was raised at the time in the
4 Courtroom. I have no recollection of that.
5 I knew we discussed it.

6 Q. It is not too important.

7 A. Yes.

8 Q. What took place on January
9 6th, 1957, what disposition was made of the
10 case?

11 A. A fine of \$500 and costs
12 was imposed against Neil Harrington. A fine
13 of \$500 and costs was imposed against Ronald
14 Horton.

15 THE COMMISSIONER: Just a minute,
16 now,

17 A. Ronald Horton.

18 THE COMMISSIONER: Yes.

19 A. Fleetwood and O'Brien were
20 fined \$200 and costs each.

21 MR. WILSON: This is as a result of
22 their plea of guilty?

23 A. That is right, sir.

24 Q. And what disposition was made
25 of the money that had been confiscated?

26 A. It was the money that had
27 been seized, it was ordered forfeited, sir.

28 Q. And how much?

29 A. It lists \$1423.

30 Q. And you think - - you have



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1 suggested that there was some irregularities
2 in regard to the proceedings?

3 A. I haven't suggested this sir.
4 I merely have stated what my observations were.

5 Q. Well, what were your
6 observations?

7 A. Well, I believe as far as
8 this proceeding was concerned, we only felt
9 that this should not have reached the point
10 where it should have went on before Magistrate
11 Bartram, once the procedure had been
12 carried out - - that is what we have mentioned.

13 Q. When you say "we", you mean
14 yourself and your fellow officers?

15 A. That's right, yes.

16 Q. You felt it should not go on
17 before - - -

18 A. Once it reached the point
19 where the Magistrate was going to adjudicate,
20 and acquainted himself with the evidence from
21 the transcript, that then that should not be
22 pursued by he.

23 Q. In other words, you felt that
24 Magistrate Bartram should not proceed to try the
25 case?

26 A. That is right.

27 Q. And apparently from your
28 report of November 29th, that is exactly the
29 position taken by the Crown Attorney at that
30 time?



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A. Yes, it was.

THE COMMISSIONER: That was your only criticism? I don't see the criticism, because he didn't proceed to try ^{it?} ~~to~~ - Hopkins did.

A. Yes. I think that I, for one, was of the opinion that this was going to take its course, unless it was our intervention into it, that caused the court to be changed.

THE COMMISSIONER: What I don't quite get the importance of is, you were of the opinion that Bartren, having read the transcript of the earlier evidence, shouldn't proceed to try the second time?

A. That is right, sir.

THE COMMISSIONER: And the Crown Attorney was of that opinion?

A. Yes.

THE COMMISSIONER: And Bartren didn't try it. Magistrate Hopkins did?

A. Yes.

THE COMMISSIONER: Well, that coincided with the views everybody ~~was~~ apparently had?

A. Yes. Then I believe I would have to say, I was considering the fact that Feeley was calling me, or had called me and told me, although this wouldn't all be borne out to be true, he said, "You know what's



1 going to happen there, there's going to be
2 a guilty plea, and there will be a fine,"
3 and he said "there would be no confiscation
4 now," and that part was contrary to what
5 actually did take place. And there was
6 strenuous objection on behalf of the accused
7 persons, and the counsel for the accused,
8 to have this remain before Magistrate Bartrem,
9 and I for one wondered why all this was taking
10 place.

11
12 THE COMMISSIONER: We have heard
13 all this before.

14 MR. WILSON: I am going to bail it
15 down. That's all I have.

16 THE COMMISSIONER: There is nothing
17 new brought out here this morning, is there?

18 MR. WILSON: Well, except the view
19 of this witness that Magistrate Bartrem should
20 have -- should not proceed with the case.

21 THE COMMISSIONER: Well, he didn't
22 proceed with it.

23 MR. WILSON: There was one other
24 point. I think he also had some reservations
25 about the penalty.

26 A. Well, I would say I had, at
27 that time, I had a conversation with the
28 Crown Attorney Bradshaw at that time, and
29 we had - Feeley had called me and told me
30 that - - he said, "You know what's going to
happen there, there is going to be a guilty



1 plea, " - -

2 THE COMMISSIONER: All right, stop
3 there. Those who knew there was to be a
4 guilty plea would be the accused and their
5 counsel?

6 A. Yes.

7 THE COMMISSIONER: If it had been
8 decided by this time?

9 A. Yes.

10 THE COMMISSIONER: And I don't know
11 where Feeley got the information, but its a
12 reasonable assumption that it trickled through
13 to him, either from the accused or from their
14 counsel.

15 A. It would be reasonable.

16 THE COMMISSIONER: That is a
17 reasonable assumption.

18 A. Yes.

19 Q. All right, there is nothing
20 mysterious about that?

21 A. No. I went down to
22 Peterborough then - - -

23 THE COMMISSIONER: Wait a moment. I just
24 want to finish. The discussion you had with
25 Feeley, Feeley said that there would be no
26 confiscation?

27 A. That's right.

28 Q. What's wrong in that?

29 A. He said the charter would be
30 cancelled, but they would get another.



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1 THE COMMISSIONER: Is there anything
2 left unsolved in this? There is no mystery
3 about it, as I see it, at the moment.

4 A. Some of the other matters
5 which concerned me, when I - after I had
6 talked to Feeley, I went down to Peterborough,
7 and we thought we had a very good chance of
8 examining one of the found-ins, under Section 174.
9 This was before I knew anything about any
10 guilty plea, and I believe before the Crown
11 Attorney knew anything about any guilty plea,
12 but I could stand to be corrected. The
13 ~~the~~ reason for saying that is this, I asked
14 the - - when I first went in, I said, "I hear
15 there are some feelers for the plea on this
16 case".

17 THE COMMISSIONER: What?

18 A. Some feelers for a plea for
19 a guilty plea, and the Crown Attorney said,
20 "Yes," he said he had heard something of this
21 nature, and I then asked about dealing with
22 this witness under Section 174, that is
23 for bringing him in and examining him, and
24 as I recall it, whether it was then, or just
25 when, I am not sure, the Crown Attorney
26 placed a call to the Attorney General's office.
27 Now he spoke to, I don't know, and again
28 I must use the broad term, and it was asked
29 about this procedure and he was told, he
30 was asked if an application had yet been



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1 asked, or an application had yet been made
2 for prohibition that had been suggested by
3 Counsel for the defence in the previous
4 proceedings.

5 THE COMMISSIONER: To prohibit
6 Hartzen from - - -

7 A.To prohibit Hopkins, Magistrate
8 Hopkins from hearing the case. And Mr.
9 Bradshaw told me Mr. Common advised him he had
10 been talking to Mr.S.Gebirtig, one of the
11 counsel for the defence, with respect to a
12 suggested application for prohibition,
13 against Magistrate Hopkins and Mr. Common
14 advised Mr. Bradshaw - - - -

15 THE COMMISSIONER: Mr. Hopkins?

16 A. Mr. Common had advised Mr.
17 Bradshaw he had talked Gebirtig out of
18 applying for prohibition, as it was not
19 good politics. He also advised Mr. Bradshaw
20 that - - - I am now reading from the memorandum
21 I prepared shortly thereafter,

22 "He also advised Mr. Bradshaw

23 "that he did not want to interfere

24 "in the Crown's case, with

25 "respect to penalty, but

26 "suggested that if a reasonable

27 "fine could be sought, as penalty,

28 "the four accused persons would no

29 "doubt be willing to enter a plea

30 "of 'guilty', providing further



1 "that no confiscation would be
2 "requested of the seized money.
3 "It was at this time that Mr. Bradshaw
4 "stated that it had been the
5 "suggestion of Mr. Casson, in the
6 "instance mentioned in the
7 "preceding paragraph, to possibly
8 "suggest a fine in lieu of a
9 "jail term, to possibly bring about
10 "a 'guilty' plea.
11 "Mr. Bradshaw asked what this branch
12 "would think of a suggestion of this
13 "nature and I advised him that we
14 "certainly would not object to
15 "anything which would be satisfactory
16 "to him, but since he had asked, we
17 "would not be pleased with the
18 "suggestion. There had been
19 "mention of a possible \$500 fine
20 "each, for the four accused, and no
21 "confiscation. I suggested the
22 "accused persons, as well as the
23 "persons in the background who are
24 "responsible for the operation of this
25 "club, would treat a fine of that
26 "amount, as a joke, and would make
27 "a mockery of the whole proceedings.
28 "(That proving the information passed
29 "on by V. Feeley, was in part, the
30 "truth). Mr. Bradshaw stated he



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"would leave the whole matter of
penalty to Magistrate Hopkins and
would not be a party to any
'arrangements'."

THE WITNESS: And I close this
off by saying,

Mr. Bradshaw asked that the
information he had passed on,
with respect to his conversation,
be treated as confidential, and
he stated he would not wish the
information passed on. Thus I
feel it advisable to have this
memorandum retained for your
information only."

One further remark of Mr. Bradshaw's was,
"that's going on in Toronto anyway".
Now, that is the memorandum that I wrote.

THE COMMISSIONER: Right. We have
had all that, when you were here before in
the witness box.

A. I don't recall - - -

MR. WILSON: Not that part.

THE COMMISSIONER: Not that part?

MR. WILSON: No, I don't recall
having made reference to this, my lord.

THE WITNESS: And if I may add here,
about a year ago, or thereabouts, when I knew
that probably this matter was going to come
out, whereby the Crown Attorney Bradshaw asked



1 that this remain in confiscation, and the
2 fact that I had submitted memorandum to my
3 superior, I spoke to him one day, and he
4 said, well, he said, the party I talked to,
5 I am not - I cannot be sure of, and I would
6 only be able to say it was Mr. Common because
7 I knew at that time that he was the direct - -
8 was the director of the Public Prosecutions.

9 Q. What is the date of the
10 report you are reading from?

11 A. A memorandum of January
12 17th, '57.

13 MR. WILSON: Q. And that was not
14 passed on to your superior officer?

15 A. It was passed to Sergeant
16 Anderson.

17 Q. But not beyond Sergeant
18 Anderson?

19 A. Not to my knowledge.

20 Q. That is another of these
21 reports that were kept pursuant to an arrangement
22 between Sergeant Anderson and yourself?

23 A. Quite possible that was,
24 I don't know. I submitted to him, and whether
25 or not he forwarded it on, I do not know sir.

26 Q. Is that all you have to say
27 about that incident?

28 A. Yes, I believe it is, sir.

29 MR. WILSON: That is all, thank you.
30



1 THE COMMISSIONER: Mr. Hogg?

2
3
4 EXAMINED BY MR. HOGG:

5
6 Q. You have told us, Chief,
7 that you prepared this report in written form
8 shortly after the events therein described took
9 place?

10 A. Well, I attended at Peterbor-
11 ough January 14th, '57, and prepared the
12 memorandum on January 17th, '57.

13 Q. This would be clear in your
14 mind at that time?

15 A. I feel that it would be, sir.

16 MR. HOGG: I wonder if we could have
17 that report entered as an Exhibit.

18 THE COMMISSIONER: The witness has
19 read it into the evidence, but if it is the
20 report you want - - -

21 MR. HOGG: If I may.

22
23 ---EXHIBIT NO. 149: Report dated January 17th,
24 1957, from Corporal Shrubbs
to Sergeant Anderson.

25 MR. HOGG: Now, I suggest, Mr. Shrubbs,
26 that as far as you were concerned, it was a
27 fact that Feeley had not only advanced notice
28 of a plea of guilty - - -

29 THE COMMISSIONER: What is the date
30 of that report?



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W.J. Shrubbs

4325

MR. HOGG: January 17th, 1957,

and the report is directed to Sergeant Anderson Anti-Gambling Branch, Toronto. It is re the names of the accused, ~~xxxx~~ and the Tisdale Club, Peterborough.

Q. It is not only a fact that a plea of guilty was known to Feeley, and one wouldn't expect much significance there, other than the fact that he knew what the outcome or said he knew what the outcome of the trial would be, or the plea of guilty so far as the penalty was concerned?

A. Well, he said there would be

a - - -

Q. Fine?

A. A fine.

Q. Not a jail term?

A. Not a jail term.

Q. I suggest to you that this surprised you, in view of the fact that on the first trial, these people were sent to jail for six months?

A. That's right.

Q. And the only reason, or the reason that the Court of Appeal quashed the conviction was because there were separate informations, or something of that sort, which was some technicality?

A. Something of that nature, yes.



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W.J. Shrubb

4825-A.

1 Q. It didn't go on the evidence
2 that was presented?

3 A. Well, I am not that familiar
4 with the proceedings of the Court of Appeal.
5 I understand it was something faulty in the
6 procedure, whereby separate charges had been
7 laid and dealt with by one trial in preference
8 to four trials.

9 THE COMMISSIONER: I suppose the point
10 was there were separate informations and
11 only one trial?

12 A. That's what I understand, yes.
13 I'm sure that the Crown Attorney did not yet
14 know there was going to be a guilty plea
15 when I went to go there, because I didn't tell
16 him how I knew, or I suggested that I had
17 heard there would be a guilty plea. When
18 we went on to discuss this, using Section 174
19 at that time - - -

20 MR. HOGG: Q. And Mr. Bradshaw, the
21 Crown Attorney, told you that he had phoned
22 the Attorney General's Department, and that
23 the Attorney General's Department suggested
24 to him, that under the circumstances a fine
25 would be in order?

26 A. That's what he told me.

27 Q. Well now, in order 8 - because
28 the accused had gone to the cost of a trial,
29 and an appeal, and additional proceedings - -

30 A. Yes.



W.J. Shrubbs

4826

1
2 THE COMMISSIONER: That was a
3 circumstance to be taken into consideration
4 in determining the ultimate penalty?

5 A. I suppose it could be.

6 MR. HOGG: Q. The fact that they
7 had to take the case to the Court of Appeal?

8 A. Yes.

9 Q. And you and your officers
10 regarded a fine under the circumstances as
11 a, to use the phrase you used here, "as a joke"
12 because they would make this much money in
13 a portion of a day, out of their illegal
14 operations?

15 A. Well, we were satisfied, in
16 our own minds, that the operation was in some
17 way connected with the club at Cocksville, and
18 the other clubs in the Province, and we
19 didn't feel that any fine was sufficient
20 to deter anything of this nature. As far as
21 I'm concerned, it has been proven previously.

22 Q. I suggest to you that
23 Mr. Bradshaw's reaction to the attitude of
24 the Attorney General's Department was one of
25 amazement?

26 A. Well, he said to me, he
27 said, "What's going on in Toronto anyway."

28 Q. "What's going on in Toronto
29 anyway."?

30 A. Yes.

Q. I take it you could not



THE
OFFICE OF THE
SECRETARY OF THE
NAVY
WASHINGTON, D. C.

TO THE
HONORABLE
MEMBERS OF THE
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1 supply him with a satisfactory answer?

2 A. I didn't say anything.

3 Q. Now turning to another
4 matter entirely. You know the last witness
5 in this case, Lafrade?

6 A. Well, I don't know him .
7 I wouldn't say I haven't seen him out at
8 the club out here, but I did see him one
9 other time which I am aware of.

10 Q. Your diary for the 21st day
11 of November, 1958 - - - -

12 THE COMMISSIONER: Exhibit 18.

13 MR. HOGG: Yes, my lord.

14 THE COMMISSIONER: The entry on which
15 date?

16 MR. HOGG: November 21st.

17 Q. Would you read it. That's
18 your writing on the entry?

19 A. Yes, I will sir.

20 "10:00 a.m. to 2:00 p.m.,

21 "office duty. 2:00 p.m. to 8:00 p.m.

22 "Napolitano, Moore, Vertoli, Lawrence

23 "and self executed a warrant at

24 "Superior Cleaners, 791 Lakeshore

25 "Road, Lakeview. Forced entry.

26 "Hubert Chapell, Weston, present,

27 "and present, and damaged phones

28 "present. Three services, two

29 "I.B.'s, and one P.O. Considerable

30 "interference had been done on

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1 "phones. No betting evidence.

2 "Nothing in premises. "

3 MR. HOGG: What's an I.B.?

4 A. Two individual business
5 services, and one P.O. which was a pay phone.
6 Considerable interfering had been done on
7 the phones.

8 "No betting evidence. Nothing

9 "any in premises. Feeley called

10 "previous and tried to disguise the

11 "voice, then spoke naturally.

12 "Call to one phone, the /8

13 "from Jordan Bridge and Chess Club,

14 "104 Adelaide Street West. Jack

15 "Lafradi near premises to observe."

16 Q. Now of course, Feeley --
17 it is Vincent Feeley?

18 A. Yes sir.

19 Q. Can you recall what he
20 said when he called?

21 A. No, the one telephone had
22 been rendered unservicable.

23 Q. Coming to that in a minute.
24 First of all, can you recall what Feeley said
25 or - - -

26 A. No, I can't. He talked to
27 one of the other officers for quite a period
28 of time on the telephone, and then ~~in~~ I took
29 the phone. I wondered - I don't know what
30 caused me - but at any~~rate~~ rate I took the



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2 phone up and I talked to the party, and the
3 party I was talking to was talking foolishly,
4 and I detected Feeley's voice and after I had
5 approached that to him, I would say more than
6 once that he wasn't fooling anybody, and that
7 it was Feeley, and then he did speak to me
8 in his normal voice, and what was said, I
9 don't know. I recall that I made no note
10 of what was said, but I did know it was
11 Feeley.

12 Q. Now the call to one phone,
13 unserviceable, from the Jordan Bridge and Chess
14 Club, Adelaide Street - - -

15 A. Yes sir.

16 Q. That's the club we heard
17 about yesterday?

18 A. Yes sir.

19 Q. Would you explain the
20 significance to the Commissioner, of having
21 an unserviceable phone?

22 A. Well, it would prevent any
23 incoming calls in on that phone, on the
24 installation of the premises that we are at,
25 this is a common practice, and I would say,
26 being away from bookmaking for a while, but
27 I believe it still to be a common practice,
28 that if a raid is made and the police are
29 present on the premises, and it becomes known
30 to the person who calls, or persons connected
with the operation, they will place a call



and the other side of the road I saw a man
coming towards me. He was carrying a bag
and I thought he was going to the same place
as I was. I went on for a few minutes
and then I saw a man standing by the side
of the road. He was looking at me and
I saw that he was a man of color. I
went on for a few minutes and then I
saw a man standing by the side of the road.
He was looking at me and I saw that he
was a man of color.

and the other side of the road I saw a man
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I saw that he was a man of color. I
went on for a few minutes and then I
saw a man standing by the side of the road.
He was looking at me and I saw that he
was a man of color.



1 to the phone in the establishment, from
2 another phone, and then leave the phone that
3 they were calling from disconnected, and
4 this will render the phone on the establishment
5 inoperative. No incoming call can/ come
6 in, thus prevent any damaging evidence,
7 coming in.

8 Q. So people who want to place
9 bets can't phone in?

10 A. No one can.

11 THE COMMISSIONER: Because the
12 phone service - if the police were there they
13 could pick up the phone and get evidence
14 about bets?

15 A. Yes.

16 MR. HOGG: Q. They might pick up a bet?

17 A. Yes.

18 Q. This call comes after
19 Feeley's call?

20 A. Well, one - the one phone
21 was inoperative for a long time, and Feeley
22 was talking on one of the other phones.

23 Q. Now Lafrade told us
24 that he was just driving past, what do you say
25 as to that?

26 A. Well, I didn't see him driving,
27 but I know that he was present out in front
28 of the premises for quite some time, for
29 quite a long time, and this was noticeable to
30 our officers there, and whether it was prior



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REIGN OF KING CHARLES THE FIRST

IN THE YEAR OF HIS MAJESTY'S DEATH

AND THE FIRST PART OF THE HISTORY OF THE

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1 to our leaving or at the time that we were
2 leaving, I went up to him and asked him if he
3 would identify himself, and at that time he
4 was standing looking in the show window of a
5 shoe store next door, and I asked him to
6 identify himself, which he did. And I asked
7 him for what purpose he was there, and he
8 said he was interested in buying a pair of
9 shoes. It was too nice a day, as I recall
10 it, to be standing around.

11 THE COMMISSIONER: Mr. Shine?

12 MR. SHINE: I have no questions, thank
13 you.

14 MR. WILSON: I have no further questions.

15 MR. WILSON: Call Mr. Bradshaw.

16 THE COMMISSIONER: What time have you
17 got, Mr. Wilson?

18 MR. WILSON: My time is ten to, but
19 it is generally a little slow.

20 THE COMMISSIONER: Well perhaps we
21 should adjourn for lunch.

22
23 ---Whereupon the proceedings adjourned
24 at 12:55 p.m.

25
26
27 (Page 4835 follows)
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---Upon resuming at 2:25 p.m.

THE COMMISSIONER: Mr. Common, do you want to say something?

MR. COMMON: Yes, Mr. Commissioner. I might say that I was profoundly shocked on picking up a copy of, I take it, the noon edition of the Telegram of today's date, headed up:

"N.D.P. lashes A.G. aides"

"Probe role."

THE COMMISSIONER: A.G.?

MR. COMMON: "A.G. aides probe role."

(The heading). The text, partially is as follows:

"New Democratic Party Ontario leader

"Donald MacDonald, charged yesterday

"Attorney General Roberts had

"opposed the Royal Commission on

"Crime ever since it was suggested."

I cannot speak for the Attorney General on that:

"He also accused "

and I emphasise the word "accused"

"members of the Attorney General's

"Department of interfering - - "

And I ask you Mr. Commissioner, to take that verb into consideration -

"with the conduct of the probe.

"Mr. MacDonald said the roles of

"Deputy Attorney General William

"Common and Senior Solicitor



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"Frank Wilson at the Probe have
"been quote 'extraordinary, a
"combination of defence and
"prosecution' unquote."

And then he deals with an incident that arose
last week, which I think I have satisfied you
on, Mr. Commissioner, in dealing with a
certain report.

Now, as Mr. Commissioner knows, this
Department, my department has not counsel
at this probe. We have Mr. Wilson and myself;
we have sat here, and have been silent
throughout this entire probe, to date. We
have attended every session of the Commission,
and speaking for Mr. Wilson and myself, I
have yet to know of any evidence of interference
with the conduct of the probe; and his
statement of the extraordinary combination of
the defence and prosecution, ~~that~~ I, at least
consider a personal reflection upon myself,
as affecting my ethical position before you
sir. As you know sir, we have said nothing;
whatever questions we thought should be put
before you, we have put through Commission
counsel. And it comes, I might say sir,
if I might be permitted to make this observation,
as passing strange for Mr. MacDonald, who to
my knowledge, has appeared here twice -
he may have appeared here more than that, but
he certainly has not been present at the



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1 day to day sittings of this Commission,
2 that he should make a statement like this.
3 I feel it is a personal reflection upon my
4 ethical position here, of being accused as
5 a combination of defence and prosecution.
6 And I would ask my friend Mr. Scott who is
7 sitting here with Mr. Brewin, in Mr. Brewin's
8 absence, whether he concurs in his leader's
9 statement.

10 MR. SCOTT: Mr. Common, I have not
11 seen the statement.

12 MR. COMMON: Here it is; here is
13 the statement. (Indicating)

14 MR. SCOTT: That is the press report
15 of the statement, Mr. Common, and as we have
16 all found out in this probe, press reports
17 and actual statements do not always agree.
18 However, I will be glad to get the statement
19 and read the actual statement itself, and then
20 comment upon it, Mr. Common. But I must
21 say I really do not know Mr. Common's position
22 before this Commission. It has not been
23 clarified to me, or I do not think any
24 of the other opposition counsel sitting
25 here; but I do not think there is much
26 we can say about the statement at this time,
27 not having seen it or read it, other than
28 what appears here, at this time.

29 THE COMMISSIONER: Let me see it.

30 (Handed to the Commissioner who appears to



1 read it)

2 I do not know what Mr. MacDonald
3 may have had in mind, when, if this newspaper
4 report of what he said is correct, he
5 quotes "accused members of the Attorney

6 "General's Department of interfering
7 "with the conduct of the Probe."

8 There has not been any interference with
9 my conduct of this probe.

10 Neither do I understand what Mr.
11 MacDonald had in mind, when, if he is correctly
12 reported, he said that the role s of Mr. Common,
13 Deputy Attorney General and Mr. Frank Wilson,
14 as the Senior Solicitor at the Probe, has
15 been, quote "extraordinary, a combination
16 of defence and prosecution".

17 Mr. Common, I do not know what
18 that means at all.

19 With respect to the report made by
20 the Ontario Provincial Police, with respect
21 to the private life of Chief Shrubbs and
22 his wife, that is a reference to the matter
23 that was raised several days ago, and so far
24 as I am concerned, was adequately explained;
25 explained to my satisfaction, and leaving
26 no aspersion upon Mr. Common, or Mr. Wilson
27 the senior solicitor, who has been in
28 attendance here. I had thought that that
29 matter had been satisfactorily dealt with,
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2 And everyone was satisfied as to what led
3 up to the giving to Mr. Rose of the copy
4 of that report. And I said then, and I can
5 only repeat now, that there was nothing
6 in it to justify its being introduced
7 into evidence.

8 I have a job to do here, that poses,
9 from time to time, problems that are difficult;
10 and I would be pleased if I were left to do
11 the job to the best of my ability, without
12 any slanted references by those whose field
13 is in the political arena, to supposed
14 obstacles being put in my way. There has
15 been none to date, and I would expect there
16 would be none in the future.

17 If they will just leave me to do
18 this job, and not make this difficult or more
19 difficult for me by public utterances,
20 such as the one referred to by Mr. Common,
21 I would at least not be embarrassed by them.

22 I am fully conscious of the fact
23 that at an inquiry such as this there are
24 bound to be, from time to time, some
25 political overtones. I am not concerned with
26 them to the slightest extent. It does not
27 help me when there are public utterances
28 such as this, and I would ask those whose
29 endeavours are in the political arena, to
30 henceforth please refrain from making
this probe a sort of political football.





1 Certainly I do not regard it as
2 such. It is a serious inquiry that I have
3 to make. It does not help me a bit. Indeed
4 it embarrasses me when matters such as this
5 from time to time occur.

6 Perhaps having said that much, that
7 will be an ~~indication~~ indication to those who might
8 from time to time have the urge to break into
9 print for political advantage ~~otherwise~~,
10 to desist from so doing, from now on.

11 Next witness.



JOHN ALBERT BLADENHAY, sworn:

EXAMINED BY MR. WILSON:

Q. You are the Crown Attorney
at Peterborough, Ontario?

A. I am.

Q. And in the course of your
duties, did you have charge of the prosecution
of Horton Harrington - - -

A. And Fleetwood and O'Brien?

Q. Yes.

A. Yes.

Q. In Court this morning, you
heard the evidence of Chief Constable Shrubbs?

A. I did.

Q. It will not be necessary
to go over that, to go over those facts in
regard to the first trial, the appeal, but
rather restrict ourselves to what happened
after that time.

Now, as far as you were concerned,
what brought about the change of magistrates?
That is, the introduction of Magistrate
Bartrem as the presiding magistrate in this
matter?

A. Because his Worship Magistrate
Phelp having heard the first trial, which
the Court of Appeal declared a nullity, he
did not wish to proceed at the second.



1 Q. And then we have heard
2 that Magistrate Bartrem read over the transcript,
3 and then decided to call the witnesses,
4 or have the witnesses called?

5 A. That is correct.

6 Q. What position did you take
7 in regard to that proposal?

8 A. I opposed Magistrate Bartrem
9 proceeding, ~~proceeding~~, after receiving advice from the
10 then Deputy Attorney General, Mr. Clifford
11 Magone; I have his letter here, dated
12 November the 26th, 1956, in which he says,
13 to
14 directed, ~~me~~ re Horton Harrington Fleetwood
and O'Brien:

15 "Arrangements have been made

16 "to have Magistrate Hopkins of

17 "Hamilton take this trial on the

18 "28th of November. The report

19 "I have indicates that you and

20 "the defence counsel agreed that

21 "the evidence taken at the other

22 "trial would be used without hearing

23 "witnesses. I think this would be

24 "most improper, and that the

25 "Court of Appeal would have sent

26 "it back for a new trial."

27 And then there is the last paragraph, which
28 I do not think, subject to your lordship's
29 ruling, need be read. It has nothing to do
30 with this. (Indicating to Commissioner)



1
2 THE COMMISSIONER: I do not think
3 so.

4 MR. WILSON: Q. And then, on the
5 date fixed for the trial before Magistrate
6 Hopkins, I believe there was a further
7 enlargement?

8 A. Yes. Mr. Humphrey and
9 Mr. Gebirtig, the two defence counsel objected
10 strenuously, claiming that Magistrate Bartram
11 was seized of the case, and there was some
12 talk on their part about bringing a motion
13 for prohibition.

14 Q. They never did in fact bring
15 a motion for prohibition?

16 A. No, they did not. As a
17 matter of fact, if your lordship will permit
18 me, I have a copy of a letter I wrote Mr.
19 Magone; apparently my file shows I was
20 corresponding with Mr. Magone, and not
21 with Mr. Common - I have that dated November
22 the 28th, 1956. This is my copy of the
23 original, re Regina versus Harrington and
24 Horton:

25 "Further to our conversation
26 even

27 "of ~~my~~ date the within charge

28 "was remanded to Wednesday,

29 "January the 16th, after his

30 "Worship Magistrate Hopkins had

"ruled against a defence motion that

"he had no jurisdiction on the matter,



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1 "alleging that Magistrate Bartren
2 "having received evidence by
3 "consent, namely the transcript
4 "and exhibits on a former case,
5 "was still seized of the matter.
6 "Defence counsel then asked to
7 "withdraw from the case and the
8 "accused asked for time to obtain
9 "counsel. I enclose transcript
10 "of what transpired before Magistrate
11 "Bartren on October the 10th,
12 "along with a copy of Magistrate
13 "Bartren's letter to me of October
14 "the 24th; and I will forward a
15 "transcript of today's proceedings
16 "by the first of the week when it
17 "is ready."

18 Q. When the case came on for
19 trial on January the 16th, 1957, the accused
20 through their counsel pleaded guilty?

21 A. A new counsel appeared;
22 Mr. Arthur Maloney Q.C., a surprise to all
23 of us. His clients pleaded guilty, and
24 then came the question of sentence; and
25 Magistrate Hopkins, in giving sentence,
26 - it has been my practice, and I feel it
27 is proper Crown Attorney practice, to put
28 before the Bench all the relevant facts.
29 And this is true in relation to the sentence
30 as well as to the trial itself. One of



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1 the facts in this case was the previous
2 conviction and sentence to jail terms;
3 a fact which was in their favour, was the
4 point of an abortive trial and an appeal;
5 and despite that I was pressing the jail term;
6 and when Magistrate Hopkins said that it was
7 his practice, in his Court, to give a jail
8 term, if it were bookmaking, or loaded dice,
9 but as this was only a house game, crap,
10 it did not involve bookmaking, or as if
11 that was crooked dice; he felt a fine
12 was sufficient in a dice game and the order
13 of confiscation which I have with me, of
14 \$1,430-odd dollars.

15 Q. Did you have any discussions
16 with Magistrate Hopkins about the sentence
17 that was to be imposed?

18 A. Not that I recall.

19 Q. And had you had any discussions
20 in regard to the matter of penalty with
21 anybody in the Attorney General's Department?

22 A. I have no recollection of
23 any specific telephone conversation with
24 Mr. Common or anybody else. Which bears
25 the implications or inferences that Chief
26 Shrubbs apparently took from them.
27 Undoubtedly there were telephone conversations
28 with the Attorney General's Department,
29 and I was the one who probably initiated
30 them.



1 The defence certainly were pressing
2 as hard as they could, and not without some
3 justification, my lord, this business of the
4 costs of the first trial.

5 I have here the original four
6 informations, and it shows that they appeared
7 five times before Magistrate Phelps ; That
8 evidence was taken on three occasions.
9 Sentence was reserved, and of course, the
10 first time - the cost of bringing lawyers
11 from Toronto; and Mr. Humphrey and Mr. Gebirtig
12 appeared. They might not have appeared on
13 the first occasion, but they certainly appeared
14 on four different occasions - that was
15 considerable. And then there was the cost
16 of the appeal, ; and later, at least two
17 appearances before Magistrate Bartren.
18 So that there was some merit in the defence
19 pressing their claim to some lesser
20 penalty, if they were guilty on the count.
21 And that may have been, although I have
22 no memory of any such phone calls as
23 Chief Shrubbs set forth.

24 On the other hand I have felt
25 Chief Shrubbs to be an absolutely honest
26 man, in my dealings with him since he has
27 come to Peterborough, and he undoubtedly,
28 in regarding this, as he has recounted this
29 morning, honestly believed that I had said
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1 something which he interpreted in the
2 way he did. But I have no memory of any
3 conversation which would bear any such
4 interpretation.

5 Q. Did you not discuss with
6 any counsel for the accused prior to the
7 plea of guilty, any question as to what the
8 penalty might be, or what position you might
9 take as to the penalty?

10 A. That I do not recall,
11 but probably I did. In every case the ~~the~~
12 defence were asking: "Well, will you recommend
13 a suspended sentence if we plead guilty?"
14 It is axiomatic.

15 Q. In other words, everything
16 had been under discussion; there was,
17 or there would not have been anything unusual
18 about it?

19 A. No, no; and my standard
20 answer - and I believe Mr. Humphrey also
21 swore this before this Commission - was,
22 that the answer on this occasion was that:
23 "It was up to the Magistrate."

24 Q. While you are here, there
25 is one other matter I briefly want to touch
26 on.

27 There is a man whom I know as
28 Gyp Feeley; maybe it is Geoffrey.

29 A. Geoffrey Feeley.
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J.A. Bradshaw

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1 Q. Otherwise known as Gyp
2 Feeley?

3 A. I understand he is no
4 relation to Vincent Feeley.

5 Q. Now, he was convicted in
6 1955, or late in 1954 of an offence under
7 the Liquor Control Act?

8 A. Yes.

9 Q. And was sentenced to two
10 months imprisonment for that act?

11 A. Yes.

12 Q. And then there were certain
13 steps taken on his behalf, or by him, to
14 try to obtain a remission of the sentence?

15 A. That one I would not know
16 about.

17 Q. You do not know about that?

18 A. Until I received a letter
19 from the Attorney General's Department, asking
20 for a report on executive clemency; it is
21 standard practice. They write the convicting
22 Magistrate or Judge, and the Crown, for a
23 report.

24 I must say that my reply was -
25 I did not bring the copy of my reply with me,
26 but I can produce it. The original will
27 be in the Attorney General's Department file -
28 but it was worded as strongly as I
29 could word it against any executive clemency,
30 and I believe Magistrate Phelp sent a letter



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1 to the same effect.

2 Q. Am I right in saying
3 that the basis for the application for
4 clemency was on the score that he had been
5 of some assistance & to the police in regard
6 to giving of information?

7 A. I have no knowledge of that.

8 Q. You have no knowledge of
9 the basis upon which the application proceeded?

10 A. No.

11 Q. Quite simply, in case that
12 it was requested, you made your position clear?

13 A. That is right; I must
14 say, merely, it is a clear memory of that -
15 I mean, where the Attorney General's
16 Department over-ruled the Magistrate and
17 myself. I have a clear memory of that
18 in my mind, which was two or three years
19 before this occasion; but having no clear
20 memory of what Chief Shrubb has stated,
21 makes me all the more convinced in my own mind,
22 that no such conversation bearing the
23 implications Chief Shrubb said ever took
24 place. Had it done, I would have remembered
25 it.

26 Q. Did you have anything to
27 do with the inquiry that was made in the
28 administration of the police force in the
29 City of Peterborough, before Mr. Justice
30 McKay, I think. McKay?



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1 A. No; I was in England
2 all that summer.

3 Q. I see. And you, as you
4 have told us, were not called upon to weigh
5 in the balance any factors that Geoffrey
6 Feeley might be advancing in support of his
7 application for clemency?

8 A. None whatsoever. I do not
9 know what basis his application was made on.
10 It was merely a form letter; so-and-so had
11 applied for executive clemency. Would I
12 make a report.

13 Q. Yes. Before I conclude:
14 you have been Crown Attorney at Peterborough
15 for how many years?

16 A. I believe it is 14 years;
17 going on fourteen.

18 Q. Now, during that time have
19 you ever had any interference from any of
20 the senior legal personnel in the Attorney
21 General's Department, in regard to the carrying
22 out of your duties as Crown Attorney?

23 A. None whatsoever. As a
24 matter of fact, I could go back 14 years
25 beyond that ~~again~~ again, because I was in
26 close association as a student, and later a
27 partner with Mr. McElbery, the former Crown
28 Attorney, and I never heard of any suggestion,
29 nor has there been in my regime, of
30 interference by the Attorney General's Department;



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1 now would I permit it. I take the view
2 that I am a true barrister, and when I
3 am charged with a case, I do not fight for
4 the Bench, my lord.

5 Q. You do, I take it,
6 communicate with the senior legal personnel
7 in the Department from time to time?
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1 A. Oh, yes, I like their advice;
2 but the more you leave them alone, the better
3 they like it.

4 MR. WILSON: Thank you.

5 THE COMMISSIONER: Are there any
6 questions, Mr. Hogg?

7 MR. HOGG: Yes, Mr. Commissioner.

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12 EXAMINED BY MR. HOGG:

13 Q. You were aware that reports had
14 been made to the Attorney-General's Department
15 on behalf of Feeley?

16 A. No. I had heard so since, but
17 at the time that I received the request for
18 the report I was not aware. You see, every
19 person convicted usually applies for executive
20 clemency. We get two or three a week.

21 Q. You since learned that an
22 application was made on his part?

23 A. I have heard a lot of rumours.

24 Q. Yes. Do you know, now, who
25 made those reports?

26 A. I have no personal knowledge at
27 all.

28 Q. Who would know that? Or where
29 would the file be?
30



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1 A. It was not made through Peter-
2 borough; that is not through my office. I
3 don't know.

4 Q. Where would the file be now?

5 A. Their file? I have my own file
6 on the matter.

7 Q. Not your file, but the Government
8 file dealing with representations for clemency,
9 made on his behalf?

10 A. I don't know, I do not run
11 the Attorney-General's Department.

12 Q. As far as you know, it would
13 be with the Attorney-General's Department?

14 A. As far as I know; certainly
15 my letter would be.

16 MR. HOGG: Now, Mr. Commissioner, I
17 understand that there is a document or a
18 file concerning Inspector Stringer, and the
19 representations so far as clemency were
20 concerned; I have not seen that file. I
21 understand Mr. MacKinnon made a request to
22 be allowed to see any document in connection
23 with the Inspector's representations. If
24 there is any document in connection with this,
25 I would like to see it.

26 THE COMMISSIONER: All right. Have
27 you any objection?

28 MR. WILSON: Yes. The Attorney-General's
29 Department has a file on the matter, Mr.
30 Commissioner. They undoubtedly will be produced



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1 in due course, but when officials of that
2 Department give evidence here.

3 THE COMMISSIONER: Are you through
4 with this witness?

5 MR. HOGG: No, I am not.

6 THE COMMISSIONER: What do you want?

7 MR. HOGG: As I understand, this Stringer
8 report - I would like to see that Stringer
9 report before this witness leaves the box.

10 THE COMMISSIONER: Is it here?

11 Mr. Common, do you know anything about that?

12 MR. COMMON: I have just consulted
13 my secretary and the file is in the office.
14 Mr. Commissioner, I do not have the report
15 here. I did not anticipate that the matter
16 of the report would come up today, otherwise
17 I would have had it here. I am very sorry,
18 sir.

19 THE WITNESS: I have no knowledge of
20 what Mr. Stringer did ---

21 MR. HOGG: If it is not here, I cannot
22 raise it.

23 THE COMMISSIONER: What are you about
24 to raise?

25 MR. HOGG: As I understand this O.P.P.
26 report, over the signature of Inspector Stringer
27 in connection with this man "Gyp" Feeley,
28 was requested by Mr. MacKinnon some time ago.
29 As a result I was under the impression that
30 Mr. Wilson had the original, or the copy.



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1 THE COMMISSIONER: I cannot understand;
2 is it a report in connection with Feeley's
3 application for executive clemency?

4 MR. HOGG: Yes, sir. We have heard
5 now that the Crown Attorney and the Magistrate
6 made certain recommendations.

7 THE COMMISSIONER: Yes.

8 MR. HOGG: Now, the C.P.P., I understand,
9 also made one, and that is the one I want
10 to see.

11 THE COMMISSIONER: All right, we will
12 get it for you. Have you got that, Mr. Common?

13 MR. COMMON: My friend says there is
14 a report. I am not aware of the report on
15 the executive clemency aspect of the matter,
16 because it is not here. I am not aware of
17 any report in this case from the C.P.P.
18 But if Mr. Hogg says there is one, I will
19 certainly do my best to take it up, and let
20 him have it. But I do not recall seeing
21 one, reporting on clemency, from Mr. Stringer.

22 MR. HOGG: I understood that Mr. Wilson
23 had one.

24 MR. WILSON: Mr. Commissioner, this
25 has nothing to do with this witness at all.
26 This witness says he knows nothing about it.
27 If the Inspector has it, he is the witness we
28 will have in the box, when it is produced.

29 THE COMMISSIONER: Q. You do not
30 know anything about it?



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1 THE WITNESS: No, my lord.

2 THE COMMISSIONER: Of what possible
3 value would it be to you, in cross-examining
4 this man?

5 MR. HOGG: It is my submission that
6 we wanted this report ---

7 THE COMMISSIONER: I am asking you, what
8 value would it be to you, in your cross-
9 examination of this witness, if he said he
10 does not know anything about it?

11 MR. HOGG: Well, I want to see whether
12 the gist of the report was the same as from
13 the Magistrate and from the Crown Attorney,
14 and perhaps ask him what the usual practice
15 was. But I will leave the matter.

16 THE COMMISSIONER: I cannot see what
17 possible help it would be to you in the
18 examination of the witness, if he knows nothing
19 whatsoever about it.

20 Your assistant seems to have more
21 pronounced views than you have.

22 MR. HOGG: Apparently he knows more
23 about this report than I do.

24 THE COMMISSIONER: Confer with him, and
25 have him tell you what he knows; whether
26 there is anything anything in it that would help
27 you in the cross-examination of this witness.

28 MR. HOGG: Our information is that
29 Stringer, or the O.P.F. recommended against
30 clemency.



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1 THE COMMISSIONER: Let us assume that
2 that is so. Now is it going to help you in
3 cross-examining a man who says he does not
4 know ~~any~~ anything about it? That is my point.

5 MR. HOOB: I will leave the matter,
6 Mr. Commissioner.

7 THE COMMISSIONER: I would think so.
8 Have you any more questions?

9 MR. HOOB: I just wanted to ask a
10 few questions about the Tisdale matter.

11 THE COMMISSIONER: Yes.

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1 MR. HOGG: Q. I just wanted to ask a
2 few questions, about Tisdale. So far as this
3 matter of the representations concerning
4 sentences¹³ concerned, Mr. Bradshaw, you said the
5 defence were pressing, not without some justifi-
6 cation, because of the cost of the appeal to them?

7 A. And the first trial.

8 Q. And the first trial. Do you
9 know what the cost was?

10 A. I haven't got any idea.

11 Q. Did you form any opinion as to
12 what this gaming house was making during the
13 course of its operations?

14 A. There was no evidence along
15 that line at all. The anti-gambling squad raided
16 and caught them there and they had fourteen
17 hundred on the desk, and that is all.

18 Q. Did you feel the financial
19 cost they had encountered would more than offset
20 the term of four months?

21 A. I have no knowledge of what
22 they were making, nor have I any knowledge of the
23 costs of the trial they were put to, except I
24 have some general knowledge of lawyers' fees and
25 I considered it was considerable.

26 Q. You said you regarded Chief
27 Constable Shrubbs, and have regarded him, as an
28 honest police officer?

29 A. Oh, yes.

30 Q. I suggest you also regard him



Mr. H. C. I. I have no objection to this

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1 as a conscientious and able officer?

2 A. Yes, a very able police officer.
3 His excellent police training has, however, I think,
4 led him to be very, very suspicious and, as a
5 result, he will imply meanings that the average
6 person would not to a situation.

7 Q. He scrutinizes things pretty
8 carefully?

9 A. Well, he is trained, as any
10 police officer is, to be suspicious, and he is a
11 well trained police officer.

12 Q. I take it you have made no
13 notes at the time this incident occurred?

14 A. We were handling 12,000
15 informations a year and I hadn't any time to make
16 notes. Even my file is not complete.

17 Q. Have you any reason to doubt
18 when Mr. Schrubbs records something as a fact hav-
19 ing occurred - I am not talking of his opinion -
20 but when he recorded a fact that he would record
21 it in an incorrect manner?

22 THE COMMISSIONER: Just a moment. No
23 one is suggesting Mr. Schrubbs would intentionally
24 record anything as a fact which was not a fact.

25 MR. HOGG: Very well.

26 That finishes my examination.

27
28 ---The witness withdraws.
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1 MR. WILSON: Mr. Commissioner, I
2 would have called former Magistrate Hopkins
3 but unfortunately he is on a trip overseas.

4 But, he wrote a letter to Mr. W. B.
5 Common, Q. C., on May 4, 1962, having in mind he
6 was leaving in a few days for England. He was
7 not under subpoena at that time. There is one
8 paragraph of the letter which is rather relevant
9 to what has been going on:

10 "If called I would have been
11 "pleased to state that you or any
12 "person of the Attorney-General's
13 "office did not at any time during my
14 "whole period of employment as a
15 "magistrate discuss cases previous to
16 "final disposition with me. On no
17 "occasion did you ever endeavour to
18 "influence me in any manner whatsoever.
19 "I would state the same regarding your
20 "predecessor, Cliff Magone, and, also,
21 "the present and previous Attorney-
22 "General. It would also extend to any
23 "past or present Members of Parliament.
24 "Specifically, neither you nor your
25 "associates ever endeavoured to influence
26 "me regarding the Peterborough trial in
27 "question before the Commission."

28 I will be calling Magistrate Hopkins on
29 his return.
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1 MR. WILSON: I will call one short
2 witness before I call Inspector Ramebottom. I
3 will call Mrs. Davidson.

4
5
6
7 Mrs. MAUREEN DAVIDSON, sworn:

8
9 EXAMINATION BY MR. WILSON:

10 Q. Where do you live?

11 A. I live in Woodbridge, sir.

12 Q. You were at one time an
13 employee of the Bell Telephone Company?

14 A. Yes, sir, that is right.

15 Q. During what years were you
16 employed?

17 A. That would be from 1955 until
18 1959.

19 Q. And in 1958 what was your
20 position with the Bell Telephone Company and where
21 were you stationed?

22 A. I was a service representative
23 in the business office at 2150 Bloor Street, sir.

24 THE COMMISSIONER: Just a moment.

25 Yes?

26 MR. WILSON: Q. Now, in 1960 you were
27 asked by the Ontario Provincial Police to look up
28 records of certain enquiries you had made and
29 entries you had made as a result of the enquiries
30 in 1958 in respect to a number, Crescent 82538. If



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1 you have any notes there that refresh your memory
2 you may look at them.

3 A. Yes, sir, that is right.

4 Q. What was your experience in 1958
5 with that Crescent 82538 number?

6 A. The experience that I had with
7 that number was that the subscriber, a lady as it
8 happened, called the business office one day and
9 denied any knowledge of several -- one or a few
10 long distance calls which had appeared on her
11 account.

12 Q. Do you know during what part of
13 1958 this would be?

14 A. I am not positive, sir, but I
15 believe it was in either the spring or the summer.

16 Q. As a result of this denial by
17 the subscriber -- And who was the subscriber?

18 A. I am sorry, I don't know who it
19 was.

20 Q. You just know that that was the
21 number?

22 A. Yes.

23 Q. And you talked to some woman who
24 answered the telephone at that number?

25 A. No, sir, she called the business
26 office.

27 Q. She called the business office?

28 A. Yes.

29 THE COMMISSIONER: Q. You would not
30 know whether she was calling from that number or not?





1 A. No. However, I assume it was
2 the subscriber and she was complaining about the
3 calls.

4 Q. You would not know whether she
5 was calling from that number or not?

6 A. No.

7 MR. WILSON: Q. As a result of this
8 complaint what action did you take?

9 A. The practice at the time was to
10 contact the distant number, say Montreal, for
11 example, contact that number and find out who it
12 was.

13 MR. WILSON: Exhibit 121, please.

14 Q. We have a summary of certain
15 long distance calls that were made from Port
16 Credit, Crescent 82538, between May and July of
17 1958. Just to illustrate, when you say you would
18 enquire of a distant number, would you explain it,
19 what you would do?

20 A. Yes, certainly. We would call
21 the distant number. This one, for example
22 (indicating).

23 Q. The first one happens to be
24 Fort Erie 1955?

25 A. Yes. We would call that number
26 and speak to a party there and find out who it was
27 that had called them from Port Credit, in the
28 generalized area.

29 Q. Yes.

30 A. On such and such a date, and at



• *Libro*

● 音乐符号



1 such and such a time.

2 Q. Yes? And, then, you would
3 trace it back to the Crescent 12538 in that way?

4 A. Yes, sir, that is right.

5 Q. Now, in this case you say you
6 called one or more distant numbers?

7 A. Yes, sir.

8 Q. Where the charges had been --

9 THE COMPTROLLER: She has not said that.
10 She said the practice was to do that.

11 MR. WILSON: Q. Did you, in fact,
12 do that?

13 A. Yes, sir.

14 Q. With what results?

15 A. With the result that the party
16 at the distant number advised me that -- advised
17 me of the person who had placed the call to them,
18 but it was not the lady who had made the original
19 complaint.

20 Q. Who did the person at the
21 distant number advise you had made the call?

22 A. Mr. Joseph McDermott, sir.

23 Q. Yes. As a result of that
24 information did you do anything further?

25 A. Yes, sir, I did.

26 Q. What did you do?

27 A. I called Mr. McDermott and con-
28 firmed that he had spoken to people at the distant
29 place and asked him how he had come about that,
30 the calls had been charged to another lady's





1 telephone number. Now, -- He, then, told
2 me he had made an arrangement with her, for
3 business reasons, to charge some long distance
4 calls to her account.

5 Q. At what number did you reach
6 Joseph McDermott? Have you got that?

7 A. Yes, sir.

8 Q. Have you got the original calls?

9 A. Yes.

10 Q. These are original telephone
11 cards you have in your hands, or photostats?

12 A. These are photostats.

13 Mr. McDermott's number was Crescent 83783.

14 Q. What are the particulars on
15 that card?

16 A. His name and address.

17 Q. Just read off the pertinent
18 information.

19 A. I put down that --

20 Q. First, give us the name on this
21 card.

22 A. The name on the card is J. B.
23 McDermott. The address, 1519 Rometown Drive. It
24 gives his occupation as well.

25 Q. What does it show as his
26 occupation?

27 A. He said he was a partner in the
28 Lakeside Cigar Store.

29 Q. Yes?

30 A. And the telephone number, as



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1 well, is added.

2 Q. The telephone number,
3 Crescent 83783?

4 A. Yes, sir, that is right.

5 Q. As a result of your talk with
6 Mr. McDermott did you make a notation on this card?

7 A. I did, sir.

8 Q. What notation did you make?

9 A. I said that Mr. McDermott had
10 made arrangements with Crescent 82538 to give
11 their telephone number on long distance calls,
12 instead of his own, to protect himself from the
13 Ontario Provincial Police because he is a gambler.

14 Q. You say MR is gambler?

15 A. Yes.

16 Q. Mister is a gambler?

17 A. Yes.

18 Q. Is that information you got
19 from him at that time?

20 A. Yes, sir, that is what he told
21 me.

22 Q. Did Mr. McDermott change his
23 telephone numbers quite often around about that
24 time?

25 A. Yes. There were several
26 numbers that he had had.

27 Q. And does that show on that
28 little card that you have in your hand?

29 A. Yes, sir.

30 Q. The other numbers as well?

A. Yes, it does.



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1 Q. What were the other numbers he
2 had?

3 A. The first telephone number he
4 had was Crescent 8-5101, and the next one was
5 Crescent 8-5993, and eventually he had Crescent
6 8-3783.

7 Q. And Then, there is one further
8 notation I would like you to explain. Just below
9 those numbers there is, on the printed form, it
10 was "Other Services", and you have a number.
11 Would you read the number?

12 A. That is Clifford 92721.

13 Q. What does that mean?

14 A. Well, that meant he had that
15 telephone, or it was believed he had that telephone
16 number operating in his own name at the same time.
17 Obviously another address.

18 Q. Above the note of that number,
19 and slightly above it, there appears to be a 3 in
20 italics.

21 A. That is a B.

22 Q. What does that mean?

23 A. That was just a code to signify
24 his credit rating.

25 Q. How did you get Mr. McDermott's
26 number? Did you -- After you called the distant
27 number?

28 A. As far as I can remember, sir,
29 Mr. McDermott's telephone number was given to me
30 by the party at the distant number.





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Q. Do you remember at what distant numbers on that account that you called?

A. I don't remember offhand.

Q. Now, if you got this information from Mr. McDermott and having made the notation on this card, which we will file as Exhibit No. 150, what did you do next?

A. Possibly we should mark this card before we go on.

THE COMMISSIONER: Q. What do you call that card, witness?

A. That is the credit card, sir.

---EXHIBIT NO. 150:

Bell Telephone Company
credit card relating to
J. B. McDermott.

MR. WILSON: Q. There is one further notation on this credit card that I direct your attention to. On the form there is the name Mr. John Planchuck.

A. I believe that was Planchuck.

Q. Planchuck?

A. Yes.

Q. P-l-a-n-c-h-u-c-k?

A. Yes, sir.

Q. Who was John Planchuck?

A. I don't remember having any dealings with him but the way it was written on the card there I believe would indicate he was the other partner in the cigar store.

Q. Having got this information



1 from Mr. McDermott and having made the notation
2 on the credit card, what did you do next?

3 A. Then, I contacted the lady
4 that complained about the long distance calls.

5 Q. In order to contact that lady
6 what number did you call?

7 A. Crescent 8-2538, sir.

8 Q. Tell us the substance of the
9 conversation you had at that time.

10 A. At that time I explained to
11 her what I had done to find out where these calls
12 had originated and she -- I advised her about
13 calling the distant number and said Mr. McDermott
14 had placed the calls and that I had been in touch
15 with Mr. McDermott. And, then, she told me, "Oh,
16 yes," she had made arrangements with Mr. McDermott
17 to do that. However, she just could not remember
18 the calls themselves. She didn't know anything
19 about them, the numbers.

20 Q. Was that the last you heard
21 of the matter?

22 A. That particular matter, yes,
23 sir.

24 Q. You say that "particular"
25 matter. Did you have anything further about that
26 particular number?

27 A. No, not that one, sir.

28 Q. That is all, thank you. Just
29 a minute, may be my friends would like to ask you
30 some questions.



1. The first part of the book is devoted to a general

2. introduction to the subject of the book.

3. The second part of the book is devoted to a

4. detailed account of the history of the book.

5. The third part of the book is devoted to a

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30. detailed account of the history of the book.



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THE COMMISSIONER: Any questions?

MR. HOGG: No, Mr. Commissioner, I cannot think of any.

THE COMMISSIONER: Mr. Rose is not here.

Q. Thank you, That is all.

---The Witness withdraws.



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1 MR. WILSON: And now, Inspector
2 Ramabottom.

3
4 HARRY RAMABOTTOM, sworn:

5
6 EXAMINATION BY MR. WILSON:

7
8 Q. You are an inspector in the
9 Ontario Provincial Police and in charge of which
10 district?

11 A. Number One district in
12 Chatham.

13 Q. And when did you join the
14 force?

15 A. 1929.

16 Q. And how long have you been
17 inspector at Number 1 District?

18 A. Seven year, sir.

19 Q. You are the inspector in charge?

20 THE COMMISSIONER: Q. How long?

21 A. Seven years.

22 Yes sir.

23 MR. WILSON: Q. That takes us back to
24 1955, does it?

25 A. That is right.

26 Q. Now, in 1957 Sergeant Hatch, as
27 he was then, was a sergeant of your detachment?

28 A. That is right, sir. Essex.

29 Q. Have you brought with you your
30 1957 diary?

A. Yes, sir.



THE UNITED STATES OF AMERICA

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

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1 Q. So that if we need to refer
2 to it we can. Now, we have heard the Roseland
3 Club was in your district.

4 A. Yes, it was.

5 Q. And have you been stationed
6 in Chatham, or in that district prior to your
7 appointment as inspector?

8 A. I was stationed in Essex
9 county for 18 years prior to coming back to
10 Chatham as a district inspector.

11 Q. And, so, when you were appointed
12 inspector you had knowledge of the Roseland Club?

13 A. It didn't exist when I left
14 Essex county the first time. When I came back in
15 1955 it was established as a club, but for the
16 first two years it was the responsibility of the
17 Anti-Gambling Branch to look after the gambling
18 work and it didn't become my responsibility until
19 April of 1957.

20 Q. I think Sergeant Hatch has told
21 us that at that time there was a new policy which
22 resulted in the district taking over the surveillance
23 and policing of the Roseland Club. Is that correct?

24 A. Yes.

25 Q. With, of course, the cooperation
26 of the Anti-Gambling Branch?

27 A. That is correct, sir.

28 Q. Now, after that happened did
29 any question of secrecy arise or any question of
30 method of dealing with reports to avoid any possible



1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

• 1941 to 1944

"The report" says it "has not been with us."



1 leaks of information?

2 THE COMMISSIONER: Just paraphrase or
3 repeat your question.

4 MR. WILSON: Following the change in
5 policy, when the supervision of the club fell
6 under the jurisdiction of the local district, was
7 there any change in the procedures with regard
8 to the reports?

9 A. When the responsibility became
10 that of the district we were instructed to submit
11 a report weekly on our progress to the
12 Commissioner. The report was compiled by Essex
13 detachment and sent on from Chatham to the Com-
14 missioner's office.

15 Q. Was this weekly report you
16 spoke of, was it with relation to the Roseland
17 Club or gambling generally?

18 A. The Roseland Club only.

19 Q. So, from that time on you made
20 a weekly reports to the Commissioner of the force?

21 A. That is right, sir, we submitted
22 weekly reports.

23 Q. And were they designated as
24 being confidential?

25 A. Yes, they were.

26 Q. Would you actually make the
27 report each week?

28 A. No, sir, the report was compiled
29 by Essex detachment, usually by the sergeant in
30 charge, or someone taking his place, and sent on



Page 10

THE SECRETARY OF THE ARMY

WASHINGTON, D. C.

DEAR MR. SECRETARY:

I have the honor to acknowledge the receipt of your letter of the 10th inst.

relative to the proposed purchase of the land described in the enclosed report.

I am sorry to hear that the land is not available for purchase at the present time.

I am, very respectfully,

SIR, YOUR OBLIGED SERVANT,

JOHN D. BROWN

Major General, U. S. Army

Department of the Army, Washington, D. C.

Enclosed for you are two copies of the report of the Board of Engineers.

I am, very respectfully,

SIR, YOUR OBLIGED SERVANT,

JOHN D. BROWN

Major General, U. S. Army

Department of the Army, Washington, D. C.

I am, very respectfully,

SIR, YOUR OBLIGED SERVANT,

JOHN D. BROWN

Major General, U. S. Army

Department of the Army, Washington, D. C.

I am, very respectfully,

SIR, YOUR OBLIGED SERVANT,

JOHN D. BROWN

Major General, U. S. Army

Department of the Army, Washington, D. C.

I am, very respectfully,

SIR, YOUR OBLIGED SERVANT,



1 to Chatham.

2 THE COMMISSIONER: Q. And you
3 sent it on to the commissioner?

4 A. That is right.

5 MR. WILSON: Q. Now, during the
6 summer of 1957 was there any great activity
7 at the club, the Roseland Club?

8 A. Not during the summer months.
9 Activity almost came to a stop in May and there
10 was a slump in activity right through until the
11 middle of August, 1957.

12 Q. Then, in the middle of
13 August the activity stepped up a bit?

14 A. That is right, sir.

15 Q. Then, in the fall was there
16 a meeting at which you were present with the
17 members of the -- Well, first of all, with
18 the commissioner, about this club?

19 A. That is right, sir.

20 Q. Just tell us, does your
21 diary indicate the date?

22 A. I can recall the date I
23 mentioned to the commissioner was September 30th.
24 And from that meeting --

25 THE COMMISSIONER: Q. Who was at
26 that meeting with the commissioner?

27 A. I spoke to the commissioner
28 myself, sir; there was noone else present.
29 September 30th.

30 Q. Yes.



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1 A. From that meeting arrange-
2 ments were made for a meeting on October 9th.

3 MR. WILSON: Q. And who were present --
4 Where was the meeting on October the 9th.

5 A. In the buildings, I believe.

6 THE COMMISSIONER: Q. Where,
7 Parliament Buildings?

8 A. Yes, sir.

9 MR. WILSON: Q. Who was present
10 at that meeting?

11 A. Sergeant Hatch and myself
12 from Number 1 District, the District Inspector
13 from Niagara Falls, Maryland.

14 THE COMMISSIONER: Q. What is his
15 name?

16 A. Maryland.

17 Q. Yes?

18 A. District Inspector Hand,
19 Number 5 District, Toronto.

20 Q. Yes?

21 A. The Deputy Minister, Mr.
22 Common.

23 Q. Yes?

24 A. Commissioner E. V. McNeil.

25 Q. Yes?

26 A. Deputy Commissioner James
27 Bartlett.

28 Q. Yes?

29 A. Sergeant John Anderson.



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1 THE COMMISSIONER: Yes, Mr. Wilson?

2 MR. WILSON: Q. What was the substance of
3 the discussion that took place at that meeting?

4 A. The police district inspector made
5 a report on the progress they were making.

6 THE COMMISSIONER: Q. Each inspector?

7 A. Each district inspector. There
8 was three of us there.

9 MR. WILSON: Q. That will be the inspectors
10 from 4 and 5, was it not?

11 A. And myself, yes.

12 Q. As well as yourself?

13 A. Yes.

14 Q. Yes, and after that?

15 A. We stated any problems we had, and
16 there was some discussion. We were mainly
17 concerned with the Roseland Club, our own
18 problems, and Sergeant Hatch spoke for No. 1
19 district and related he had arrived at a
20 position where he thought that the confidential
21 weekly reports, sent through the mail, was too
22 great a risk to take, and asked for the
23 permission to be given not to submit the
24 weekly report. Another reason given -- was
25 proposed to use an informant in the prosecution.

26 THE COMMISSIONER: Q. I can't hear you
27 very well.

28 A. Proposed to use an informant in
29 the prosecution of the club at some future
30 date.



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Q. Yes?

A. And we would like permission not to submit progress reports.

Q. That you and he?

A. That is right, sir.

Q. Yes?

A. The request was discussed by the Deputy Minister and Commissioner McNeill, and the Deputy Minister thought it was a reasonable request and it wasn't necessary to continue sending in the reports.

MR. NORMAN: I wonder if you would speak up?

THE WITNESS: The request was considered by the Deputy Minister.

THE COMMISSIONER: Q. That is, Mr. Common?

A. That is right, Mr. Common, and Commissioner E.V. McNeill. Mr. Common stated the request was reasonable and that it shouldn't be necessary to submit further progress reports.

MR. WILSON: Q. You mentioned a discussion about informants. What was the discussion in that regard?

A. It was in relation to confidential reports being sent on through the mail, that the informant's life might become in jeopardy and the risk of sending on information of that type of through the mail.

Q. And what decisions were arrived at



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1 in regard to informants, that day?

2 A. I think it was understood that we
3 were to continue on with our plans and make
4 doubly certain that we had sufficient in the
5 way of evidence before we proceeded to search
6 found-ins and lay a charge.

7 Q. Now, at that meeting, or at the
8 conclusion of the meeting, did any one present
9 ask for the name of the informants you had
10 in District No. 1?

11 A. Just who raised the question, I
12 don't know, but I recall that both Mr. Common
13 and Commissioner McNeill stated that it wasn't
14 necessary to give the informant's names and
15 he didn't want to know and it shouldn't be
16 given.

17 Q. Was this at the end of the meeting?

18 A. During the meeting. During the
19 meeting.

20 Q. And you say you are not sure who
21 raised the point. I mean, who asked for
22 information about the informants?

23 A. I am not certain.

24 Q. Well, Inspector Hatch has sworn
25 that it was Deputy Commissioner Bartlett.

26 A. Just after that meeting was closed,
27 when every one was leaving, I did overhear
28 Deputy Commissioner ---

29 THE COMMISSIONER: Q. Speak up.

30 A. I did overhear Deputy Commissioner



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1 Bartlett speak to Sergeant Hatch and I recall he
2 said, "What have you got, Jack?", or, "Who have
3 you got?" Something along those lines, and
4 it seemed to be a private conversation between
5 them.

6 Q. You have stated, as of October 9th,
7 the confidential reports no longer went forward
8 in the usual manner to headquarters?

9 A. That is right, sir.

10 Q. We have had filed here, three reports
11 dated September 26th, September the 19th, and
12 August 15th, 1957, as Exhibits 141-A, B and C.

13 Are those the type of reports that you
14 were speaking of that it was customary to
15 forward weekly after the change in policy in
16 April, 1957? (Produced)

17 A. Yes, sir.

18 Q. Now, these three were put in during
19 the evidence of Deputy Commissioner Bartlett,
20 and he identified that in each case they had
21 come to his attention and, in fact, you will
22 see his initials or notations on two of them.

23 Now, after the meeting of October the 9th,
24 1957, did you have further communications with
25 Deputy Commissioner Bartlett, during which
26 questions were asked by him about the police
27 activity in your district against the Roseland
28 Club?

29 A. After date of ---

30 Q. October 9th.



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1 A. October 9th, no, sir.

2 Q. You never heard anything further from
3 him after that time?

4 A. No, sir.

5 THE COMMISSIONER: That wasn't your question.
6 You asked him if he had meetings with him.

7 MR. WILSON: I think I said "communications".

8 THE COMMISSIONER: I may have misunderstood
9 you.

10 Q. Did you have any communications with
11 him by telephone or otherwise?

12 A. Not that I recall, sir.

13 MR. WILSON: Q. Then do I understand that
14 prior to October the 9th that you did have,
15 apart from these weekly reports, discussions
16 from time to time on the telephone with Commissioner
17 Bartlett?

18 A. There were some.

19 Q. Did you make any notes in your file
20 in regard to any of them?

21 A. I made a short memorandum on August
22 the 30th, after I had received a call from Deputy
23 Commissioner Bartlett.

24 Q. And what was the notation?

25 THE COMMISSIONER: Well, turn to it, if
26 you have it.

27 MR. WILSON: Q. Well, Mr. Carty has called
28 to my attention that he has looked through these
29 files and there may be a memo on August 28th.

30 A. It is a memorandum, but it doesn't



1 bear a date, but it was filed the same date as
2 this report, the progress report, dated
3 August 29th and sent in -- on from Chatham
4 on August 30th. On that date I received a
5 telephone call from Assistant Commissioner
6 Bartlett. The memorandum reads:

7 "Re Walker Road Club. Phone call
8 "received 3.00 p.m., Friday, August 30th,
9 "1957, from Assistant Commissioner
10 "James Bartlett."

11 THE COMMISSIONER: Speak up.

12 A. " . . . from Assistant Commissioner
13 "James Bartlett. Re Walker Road Club.

14 "He received a phone call from Mr. Herman

15 "that two Provincial Police cars were

16 "parked at the club on August 28, one

17 "car parked there on August 29th.

18 "Officials were waving traffic past

19 "the club entrance with their flash-

20 "lights. I informed the Assistant

21 "Commissioner that we were not waving

22 "cars past the club, that we were

23 "continuing, that observation must

24 "cease, no attention."

25 Q. On what date? Herman had complained
26 on what dates you were doing these things?

27 A. August the 28th and August 29th.

28 Q. He went to the trouble to telephone
29 you about this?

30 A. He telephoned me, sir.



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1 Q. On August 30th?

2 A. On August 30th. That was -- he said
3 it was a direct complaint he got from Mr. Herman.

4 Q. Yes?

5 A. That information, sir, is only half
6 true, to the extent that the two cars parked at
7 the club on August 28th, one was my own, for
8 a period of an hour or so, when I dropped
9 into the area and stopped to talk to two men
10 keeping observation.

11 Their car was parked on the opposite road
12 to the club, in the laneway leading to Croyder's
13 residence. They were local people that lived
14 there. They were parked in their lane. I
15 drove in there and spent about an hour talking
16 to our men. We remained seated in the car.
17 We didn't use our flashlights for any reason.
18 We weren't waving traffic away from the club
19 and never did.

20 There is another entry, a footnote to this
21 report here, that the night after -- the two
22 cars that were there on the 28th, my own for
23 about an hour, and the following night, the
24 29th, the car was keeping observation there
25 and the steward from the club walked across
26 the road to our parked car and asked both our
27 men for their names. He said he was instructed
28 by Toronto to get their names.

29 MR. WILSON: Q. Who was the steward?
30 Johnston, was it?



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1 A. Mr. Johnston.

2 Q. Yes. He said he was instructed by
3 Toronto?

4 A. To get their names.

5 Q. To get their names.

6 THE COMMISSIONER: Just a moment.

7 Q. Who was with you at the time?

8 A. At the time?

9 Q. Your car was parked there, and what
10 other officer was with you?

11 A. Two other officers, as I say, were
12 keeping observation every night, sir. Corporal
13 Graham and Constable McKenzie.

14 Q. That is on the night of August 29th
15 you are talking about now?

16 A. The 29th, yes, sir.

17 Q. Corporal Graham, you said?

18 A. Yes, sir.

19 Q. And the other man's name?

20 A. McKenzie. Provincial Constable
21 McKenzie.

22 Q. What reply did you make to the steward?

23 A. I wasn't there, sir.

24 Q. Oh, I thought you were.

25 A. No. No, I wasn't there.

26 Q. You are reporting then what Graham
27 and McKenzie told you, are you?

28 A. That is right. It is recorded in
29 one of the progress reports filed.

30 MR. WILSON: Q. Now, as a result of this



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1 call from Deputy Commissioner Bartlett, and
2 your explanation, was there any change in your
3 procedures in regard to this club?

4 A. No, sir.

5 Q. I think if you look at your file,
6 you said the activities of the club started up
7 again in August?

8 A. That is correct.

9 Q. I think there was an earlier memorandum
10 or report just prior to August 28th?

11 A. Regarding a telephone call?

12 Q. Yes, I think so. It is a memorandum
13 from yourself to Sergeant Hatch.

14 A. There is a memorandum regarding a
15 telephone call I received from Deputy Commissioner
16 Bartlett.

17 THE COMMISSIONER: Q. On what date?

18 A. August the 28th.

19 Q. Yes?

20 A. He advised he received a complaint.

21 Q. Is that the one you have already
22 told us about?

23 A. No, sir.

24 Q. It isn't?

25 A. From Mr. Pepper.

26 MR. WILSON: Q. Possibly you could read it.

27 A. A solicitor of the Attorney General's
28 Department, of a complaint made to him by Mr.
29 Herman on behalf of the above noted club. That
30 is the Roseland Club. To the effect that the



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1 Provincial Police of the Essex Detachment had been
2 picketing the club.

3 Q. Now, around about this time, after
4 the activities started up in August, down to
5 October the 9th, apart from the weekly reports
6 you were sending forward to headquarters, apart
7 from those two telephone calls you had from
8 the Deputy Commissioner; did you have other
9 calls from him?

10 A. Not during that time. There was
11 one earlier, July the 12th.

12 Q. Tell us about that one.

13 A. Instructions to discontinue obser-
14 vations. Periodic examination was permitted,
15 only. That didn't affect our operation because
16 we hadn't been keeping constant observation on
17 the club. It was slack at that time and it
18 didn't affect us in any way.

19 Q. Did he confirm that by letter?

20 A. It was confirmed by letter from
21 Commissioner E.V. McNeill.

22 Q. Yes?

23 A. Dated July the 12th, but not received
24 until July the 23rd.

25 Q. And have you got that letter from
26 Commissioner McNeill, there?

27 A. I have a copy of the letter, sir.
28 The original of the letter was sent in.

29 Q. Now, this memorandum, referring to
30 the date of July 23rd, 1957, it is a memorandum



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1 for Sergeant J.H. Hatch, Essex Detachment, re
2 Army, Navy and Air Force Veterans Club, Township
3 of Sandwich South.

4 "Further to my memorandum on this matter

5 "of July 12th, 1957, dealing with a

6 "telephone call received from Assistant

7 "Commissioner James Bartlett. We

8 "are now in receipt of a directive from

9 "the Commissioner which reads as follows."

10 And then you have a notation in pencil:

11 "Letter dated July 12th not received

12 "until July the 23rd."

13 Is that your notation there?

14 A. It is my notation.

15 Q. Yes. And then there is a quotation

16 from the letter from the Commissioner, or the
17 directive:

18 "Concerning instructions received by

19 "you this date from Assistant

20 "Commissioner J. Bartlett from this

21 "General Headquarters, dealing with

22 "the marginally-named subject, I

23 "was advised that the personnel of

24 "the Force under your supervision

25 "must be instructed to discontinue

26 "checking drivers and taking the

27 "names of occupants of vehicles

28 "entering the marginally-named

29 "premises.

30 "Periodical observations may



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1 "he continued, and it is understood that
2 "if the results of such observations
3 warrant a raid, appropriate action must
4 "be taken without further instructions
5 "from this General Headquarters."

6 And then it goes on:

7 "When submitting your weekly report for
8 "this week, please acknowledge receiving
9 "copy of Commissioner's directive dated
10 "July 12th, 1957."

11 And it is signed by yourself?

12 A. That is right, sir.

13 THE COMMISSIONER: We have that letter of
14 July 12th, 1957, in as an exhibit already,
15 haven't we? What is the number?

16 MR. WILSON: I see the original was
17 forwarded to Mr. Norman Phelps on March 26, 1962.
18 Exhibit 76. 76 was a sample of the one that
19 was sent out to all three districts, 1, 4 and 5.

20 THE COMMISSIONER: Yes.

21 MR. WILSON: Q. This particular exhibit
22 is not your document, but it is addressed to
23 the Inspector, Inspector Hand of No. 5?

24 A. Yes, sir.

25 Q. And that, you say, was received by
26 you, or a similar one, on July 23rd?

27 A. That is correct, sir.

28 Q. Now, is that all the communications
29 you had from Bartlett, around that time?

30 A. I believe, sir, there may have been



1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a very important document, as it is the first official communication from the President to the Congress since the inauguration of Abraham Lincoln. The letter is written in a formal, dignified style, and it contains a great deal of information about the state of the Union at that time. It is a document that is well worth reading, and it is one that should be kept in every library.

2. The second part of the document is a report from the Secretary of the Interior, dated January 1, 1861. It is a very important document, as it is the first official communication from the Secretary to the Congress since the inauguration of Abraham Lincoln. The report is written in a formal, dignified style, and it contains a great deal of information about the state of the Department of the Interior at that time. It is a document that is well worth reading, and it is one that should be kept in every library.

3. The third part of the document is a report from the Secretary of the Treasury, dated January 1, 1861. It is a very important document, as it is the first official communication from the Secretary to the Congress since the inauguration of Abraham Lincoln. The report is written in a formal, dignified style, and it contains a great deal of information about the state of the Department of the Treasury at that time. It is a document that is well worth reading, and it is one that should be kept in every library.

4. The fourth part of the document is a report from the Secretary of the War, dated January 1, 1861. It is a very important document, as it is the first official communication from the Secretary to the Congress since the inauguration of Abraham Lincoln. The report is written in a formal, dignified style, and it contains a great deal of information about the state of the Department of the War at that time. It is a document that is well worth reading, and it is one that should be kept in every library.

5. The fifth part of the document is a report from the Secretary of the Navy, dated January 1, 1861. It is a very important document, as it is the first official communication from the Secretary to the Congress since the inauguration of Abraham Lincoln. The report is written in a formal, dignified style, and it contains a great deal of information about the state of the Department of the Navy at that time. It is a document that is well worth reading, and it is one that should be kept in every library.

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1 others.

2 Q. Now, after the July 9th meeting,
3 there was a further meeting, I believe, on
4 October 18th, 1957?

5 A. Yes, sir.

6 Q. And was that meeting also at the
7 Attorney General's Department?

8 A. Yes, sir.

9 Q. And who was present on that occasion?

10 A. Mr. Bowman, Commissioner E.V. McNeill,
11 Sergeant Hatch and myself.

12 Q. And what was the substance of the
13 discussion on that date?

14 A. It was to explain to the senior
15 counsel what we had in the way of evidence, and
16 to get instructions on how to proceed with the
17 search.

18 Q. Well then, who gave the instructions
19 on that occasion as to what you were to do?

20 A. We explained what we had in the way
21 of evidence and what we proposed to do, and
22 we got the blessings of the senior solicitor,
23 Mr. Bowman, and the Commissioner.

24 Q. To go ahead?

25 A. To go ahead.

26 Q. So there was a disclosure by Sergeant
27 Hatch and yourself?

28 A. Yes, sir.

29 Q. To Mr. Bowman and Commissioner McNeill?

30 A. That is right.



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1 Q. As a result of which you got their
2 blessing, as you put it, to proceed with the
3 raid of the Roseland Club?

4 A. That is correct.

5 Q. On a date and ^{at} a time to be chosen
6 by yourself?

7 A. By ourselves.

8 Q. Yes. And as a result of the decisions
9 reached at that meeting, you did, in fact, make
10 a raid on November 17th, as I recall?

11 A. The 13th, sir.

12 Q. The 13th. And that resulted, of
13 course, in a prosecution?

14 A. Yes, sir.

15 Q. Now, there was one other meeting I
16 want to refer you to for a moment. Did Sergeant
17 Hatch bring to your attention certain approaches
18 that had been made to him by Inspector Stringer?

19 A. Yes, he did.

20 Q. And as a result of that matter
21 being brought to your attention, what action
22 was taken?

23 A. I advised the Commissioner, E.V.
24 McNeill.

25 Q. And was Hatch present at that time?

26 A. No, sir. A date was set later
27 for December the 5th for the sergeant, Sergeant
28 Hatch and myself, to meet the Commissioner in
29 Toronto.

30 THE COMMISSIONER: Q. What date?



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1 A. December the 5th.

2 MR. WILSON: Mr. Commissioner, I noted, in
3 reading over Hatch's evidence, page 4040, there
4 is reference to this meeting, and I think there
5 has been an incorrect recording in the transcript
6 of the date, July 5th. Certainly the meeting
7 was December 5th.

8 THE WITNESS: That is correct.

9 MR. WILSON: The transcript was corrected
10 later, at page 4071.

11 Q. Now, tell us what occurred at that
12 meeting with the Commissioner and Hatch and
13 yourself, on December 5th, 1957?

14 A. Sergeant Hatch informed the
15 Commissioner of some meeting he had with Inspector
16 Stringer.

17 THE COMMISSIONER: This was on December 5th?

18 MR. WILSON: December 5th, 1957.

19 Q. Would you just go on, please?

20 A. It was a case of informing the
21 Commissioner what had taken place.

22 Q. What did the Commissioner have to
23 say about it?

24 A. He was displeased. I can't recall
25 exactly just what he had to say. It was some-
26 thing that Inspector Stringer had imposed on
27 their long association together and taking
28 liberties he had no right to take. He had
29 no right to make approaches to Sergeant Hatch
30 about a transfer to his district. I can't



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and the other is a collection of the papers of the late
James M. Smith, which were deposited in the library
of the University of Chicago in 1891. The collection
includes a large number of manuscripts, printed books,
and other items of interest to the study of the history
of the United States.

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1 recall ---

2 THE COMMISSIONER: Q. He was certainly
3 annoyed, in any event?

4 A. Yes, he was, sir.

5 MR. WILSON: Q. Well then, do you know what
6 action, if any, he took as a result of that
7 meeting?

8 A. No, sir.

9 MR. WILSON: That is all, thank you.

10 THE COMMISSIONER: Q. Witness, is my
11 understanding correct that Inspector Hatch
12 didn't even want to tell you the name of his
13 informant?

14 A. I knew who the informant was. I
15 would say I knew about the end of September,
16 before our meeting in Toronto. I was well
17 aware at the time of our meeting in Toronto
18 who he was and the purpose for keeping his
19 name confidential.

20 Q. I see. All right.

21 A. We were both concerned with it.

22 Q. That it should be kept confidential?

23 A. That is right.

24 THE COMMISSIONER: All right, ten minute
25 recess.

26
27 ---A short recess.

28
29 (page 4900 follows)

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1 ---On resuming:

2 THE COMMISSIONER: Yes.

3 MR. BALWIN: I understand, Mr. Commissioner,
4 that in my absence, a matter rose, Mr. Common
5 raised a matter and I haven't seen the
6 transcript as I just got here, so I won't make
7 any comment on it.

8 THE COMMISSIONER: Do you want to see
9 it?

10 MR. BALWIN: I don't know if you want
11 me to make any comments on it. I will
12 reserve any comments I might have, if I am
13 called upon to make any, perhaps after I
14 have seen the official transcript.

15 THE COMMISSIONER: All right.

16 You are through with this witness, Mr.
17 Wilson?

18 MR. WILSON: Yes, I am.

19 THE COMMISSIONER: Mr. Hogg.

20 MR. HOGG: Yes.



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1 EXAMINED BY MR. HOGG:

2 Q. Inspector Ramsbottom, I wish
3 to deal briefly with this meeting on October
4 9th in the Attorney-General's offices, and
5 present you have told us was Hatch, yourself, a
6 District Inspector from Niagara Falls, District
7 Inspector Hand, No. 5 District, Mr. Common,
8 Commissioner McNeil, Deputy Commissioner
9 Bartlett.

10 A. Yes.

11 Q. Have I missed anyone out?

12 A. Sergeant John Anderson.

13 Q. That completes it?

14 A. That's it.

15 Q. Now this was a meeting in which
16 there were two voices raised. These were put
17 through by your district, by Sergeant Hatch,
18 and first of all, the first of these, was
19 the confidential report not be sent through
20 Headquarters.

21 A. That is correct.

22 Q. Secondly that the name of the
23 informant that you had, not be disclosed?

24 A. That is correct.

25 Q. Now you had a very close association
26 with Sergeant Hatch. He was your immediate
27 superior?

28 A. Yes.

29 Q. And you and he were working on
30



UNIVERSITY OF MICHIGAN

TO THE HONORABLE SENATE OF THE UNIVERSITY OF MICHIGAN
IN RESPONSE TO A RESOLUTION PASSED AT ITS MEETING
Held at Ann Arbor, Michigan, on the 15th day of
January, 1900.
Submitted by the Faculty of the University of Michigan
at its meeting held at Ann Arbor, Michigan, on the 15th day of
January, 1900.

Resolved, That the Faculty of the University of Michigan
do hereby recommend to the Senate of the University of Michigan
that the sum of \$10,000 be appropriated for the purchase
of books for the University of Michigan Library.
And that the Faculty of the University of Michigan
do hereby recommend to the Senate of the University of Michigan
that the sum of \$5,000 be appropriated for the purchase
of books for the University of Michigan Library.
And that the Faculty of the University of Michigan
do hereby recommend to the Senate of the University of Michigan
that the sum of \$5,000 be appropriated for the purchase
of books for the University of Michigan Library.

Witness my hand and the seal of the University of Michigan
this 15th day of January, 1900.
Attest my hand and the seal of the University of Michigan
this 15th day of January, 1900.
The President of the University of Michigan
The Vice-President of the University of Michigan
The Secretary of the University of Michigan
The Treasurer of the University of Michigan
The Faculty of the University of Michigan



1 this matter of the club together?

2 A. That is correct.

3 Q. You saw eye to eye on these things?

4 A. Yes, we did.

5 Q. And you told the Commissioner
6 that it was your recollection that someone
7 raised the question as to who the informant
8 was, but that you can't now recollect who that
9 person was?

10 THE COMMISSIONER: Q. Do you understand
11 the question?

12 A. Yes, I do. It was explained
13 to the group that we had an informer, by
14 Sergeant Hatch, and that was the introduction
15 of the informer.

16 MR. HOGG: Q. And that is how it
17 would be raised?

18 A. Right.

19 Q. Somebody wanted to know?

20 A. Yes. It was pointed out at
21 the same time that it was important that his
22 name be not disclosed.

23 Q. Now certainly it wouldn't be you
24 who raised that?

25 A. No.

26 Q. And it wouldn't be Sergeant Hatch?

27 A. No.

28 Q. Both Commissioner McNeil and
29 Mr. Common said they didn't want to know?

30 A. That is correct.



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1 Q. I suggest to you that the
2 District Inspector from Niagara Falls, the
3 District Inspector from No.5 Division would
4 have no interest in this matter whatsoever,
5 as it was out of their district, and was a
6 legal matter?

7 A. That is correct.

8 Q. That leaves Deputy Commissioner
9 Bartlett and Sergeant Anderson?

10 A. Yes.

11 Q. And I suggest to you that
12 Sergeant Anderson wouldn't raise this question?

13 A. No, sir.

14 MR. HOGG: That sort of narrows it down.

15 Q. Inspector Ramsbottom, you have
16 told us about the telephone call on August
17 30th from Bartlett. Would you search your
18 memory as I want to go into this telephone
19 call at some length. This was at 3 p.m.
20 in the afternoon?

21 A. That's right, sir.

22 Q. This was a call to you from
23 your superior?

24 A. That's correct.

25 Q. Saying he received a call from
26 Herman in connection with the presence of
27 men from your division who were observing
28 the club?

29 A. That's right, or in the vicinity
30 of the club.





1 THE COMMISSIONER: Q. You had
2 received a call from Herman?

3 A. Complaint.

4 Q. You received a complaint?

5 A. I received a complaint.

6 Q. It was a complaint. I didn't
7 hear about a call, a complaint.

8 MR. HOGG: All right, a complaint.

9 Q. Now, you and Hatch, I suggest,
10 up to this time had discussed the matter of
11 the club and how you could successfully
12 raid it and terminate the activities?

13 A. That is correct.

14 Q. And the two of you had reached
15 the conclusion that one of the first ~~was~~ steps,
16 or one of the most necessary steps, was to
17 keep constant observation on the club, and
18 take the names of these people who were
19 coming in, as we heard, from the States?

20 A. Partly. We found it necessary
21 to keep observation but we didn't find it
22 necessary to take the names. From observation,
23 we could tell the licence numbers of the
24 cars when they went in, and from a search
25 which was made, we had the names. We had
26 the owner of the car. We had a history of
27 the gamblers that were going there, and a
28 history of the hired help that went there,
29 and all we needed to see was the car and how
30 many were in it, and we had the story. But we



1 did have men there to see the cars going in.

2 Q. I suggest to you, that you
3 sat down, not once, but a number of times,
4 with Hatch and had gone through your tactical
5 approach, so far as this club would be
6 concerned. You would do this, and then you
7 would move in the second stage, and so forth
8 and build up a case?

9 A. Yes, we discussed it.

10 Q. Now you told, I take it, Bartlett,
11 what you were doing, that you were taking
12 the numbers of these cars, because there was
13 no question in your mind that this was a
14 gaming house, and was a "thorn in your side"
15 or some such expression.

16 A. I told him it was necessary
17 to keep observation on the club the way we
18 were doing, and explained how we were doing
19 it, and we were parked not on the highway, but
20 we were parked opposite the club in a private
21 driveway, and it was necessary to continue
22 observation.

23 Q. Did he indicate anything to you
24 detrimental to you or your activities there?

25 THE COMMISSIONER: Did who say anything?

26 MR. HOGG: Bartlett.

27 Q. I want you to search your memory.

28 A. He said observations should be
29 stopped. We were permitted to keep periodical
30 observation, but not constant or continuous



and having been in the same place for

Q. I suggest to you, that you

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Q. Yes, no, I don't know.

Q. Now, you say, I don't know.

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Q. And no, I don't know.

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Q. I don't know.

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1 observation. Therefore, the difference
2 between us - he thought we could keep periodic
3 observation, but not constant observation.
4 We kept observation from six at night until
5 two in the morning, every night except Sunday,
6 and he thought that it should be - we should
7 keep periodic observation, but not continuous
8 observation.

9 THE COMMISSIONER: Q. Why? You were
10 not on the highway. You were in a private
11 driveway opposite the club?

12 A. I don't know why he felt it
13 wasn't necessary. It was the instructions
14 we had been given at a time when it wasn't
15 necessary to keep observation, and I thought
16 that when it became necessary we put the car
17 back on, and it was the only thing we could
18 do.

19 MR. HOGG: Q. Being on the police force,
20 you were required to follow the orders of
21 your superior, no matter what you thought of
22 it?

23 A. Well, we were given responsibility
24 and we had a fair amount of freedom to carry
25 out orders, and our responsibility, and the
26 responsibility which was given to the district,
27 and I felt that it was something that we
28 should decide - Essex.

29 Q. Did Inspector Bartlett say
30 anything about you, make any comments about you,



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1 Inspector Ramsbottom?

2 A. Nothing directly. He said we
3 could^{do} ourselves harm. We could -- I think
4 he was concerned himself for me and ---
5 And he said we could do ourselves harm if
6 we didn't follow instructions, and the
7 instructions permitted periodic observation
8 only, not constant.

9 Q. You could do yourself harm.
10 Did he say anything else? Excuse me, before
11 I ask that question, he was referring to you
12 and to Hatch?

13 A. I think he was referring to
14 us all, himself and myself, and what we
15 were doing in Essex. I don't think he singled
16 anyone out, that we could do ourselves harm
17 if we did not follow the Commissioner's
18 instructions of periodic observation.

19 THE COMMISSIONER: Q. You didn't
20 interpret this letter of July 12th as
21 instructions to you that you were to go there
22 only at some irregular intervals and keep
23 watch on the place and then leave it?

24 A. July 12th, sir, we weren't too
25 concerned, because there was a slump in the
26 business at the club, and we didn't give it
27 any concern until the club started to pick
28 up and it became necessary about the middle
29 of August to put the car there, and I talked it
30 over and put the car there.



Investigative Department

A. ...

could ...

he was ...

and he said ...

on ...

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A. ...

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1 Q. Yes, but this letter of July
2 12th dealt primarily with the old practice
3 of checking the drivers and taking the names
4 of the occupants.

5 A. That's right. We never did
6 that, sir, we never did.

7 Q. This letter ---

8 A. Yes, sir.

9 Q. -- refers to that.

10 A. That's right.

11 Q. And he says that periodical
12 observation may be continued?

13 A. That's right.

14 Q. You didn't take that as instruction
15 that you couldn't stay there for a matter of
16 an hour at any time, did you?

17 A. No, sir, I wasn't concerned
18 over the letter at all, until telephone calls
19 started coming, and then I decided we were
20 doing the right thing, and if anything happened
21 we could defend ourselves, and we could keep
22 on with the observation and forget about it,
23 and that is what I told the Assistant Commissioner,
24 and he agreed that it was my responsibility,
25 and it ended there. I didn't hear anything
26 more about it, and I think he was satisfied
27 when I told him.

28 MR. HOGG: Q. Would you describe
29 this meeting of October 9th, as very unusual
30 in your police experience, requesting permission





1 to withhold information from your superiors,
2 and not to inform them as to the names of
3 the informant?

4 A. It would be unusual, but it
5 could be expected in view of the circumstances.

6 Q. Which were unusual?

7 A. That's right.

8 Q. That information was leaking
9 out that the gambling operations ---

10 A. Yes.

11 Q. And when you say, Inspector
12 Ramabottom, that you were concerned about these
13 reports being sent through the mail, and I
14 take it what you mean is that you were concerned
15 with the fact that they were reaching Head-
16 quarters, and not the physical transfer of
17 the letter through the mail?

18 A. Both, sent through the mail,
19 and we don't know their destination. They
20 are sent to District Headquarters, and where
21 the reports go after they get there is beyond
22 our control, and the information, when it
23 has progressed to the point where we thought
24 that the information we had collected should
25 remain confidential until it was used in
26 court.

27 Q. Now after October 9th, didn't
28 the Deputy Commissioner Bartlett call you
29 about other police matters, either routine
30 matters of other investigations that you were



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1 on, such as a murder or shopbreaking or ---

2 A. He may have called, but I
3 don't recall the club being discussed, or
4 anything further concerning the club.

5 There may have been calls - it was routine
6 police work. I don't recall any particular ---

7 Q. Did he call very often over
8 the years?

9 A. Oh, yes. He was second in
10 command on the Force at that time, and I
11 would -- I believe that the Deputy was ill,
12 and he did call about matters which concerned -
13 he would phone or teletype messages.

14 Q. What is the significance of
15 this letter dated July 12th, but received
16 July 23rd? What did that notation mean?

17 A. It was mailed out under the
18 date of July 12th, and we didn't receive it
19 until July 23rd. That is the only point there.
20 We weren't too much concerned about it at
21 that time.

22 Q. Now back as far as this spring,
23 had you received either telephone calls or
24 letters from Headquarters indicating that
25 Mr. Herman had been complaining about the
26 fact that you were bothering the club?

27 A. I received an letter in May,
28 I believe, or April, from the Commissioner,
29 of a complaint made by Mr. Herman, regarding
30 names of patrons to the club. It was something



Q. Now to a matter of substance, the --

A. In my own mind, and I

don't recall the date being discussed, or

anything further concerning the case.

Q. Now, you said that you -- as you recall --

police work. I don't recall any particular --

A. But he said very often over

the years

Q. Now, you said -- as you recall --

concerned on the issue of that case, and I

would -- I believe that was during the 1940's,

and he did call upon me several times on various --

he would know of certain people.

Q. Now to the significance of

this letter dated July 1940, did you receive

that letter? Was that letter signed

A. It was called out in the

case of July 1940, and we didn't receive it

until some time later. That is the only letter.

Q. Now, you said that you received it in 1940

and you received other letters also.

A. Now from the 1940's to the 1950's.

Q. And you received other letters also.

A. Yes, from the 1940's to the 1950's.

Q. Now, you said that you received it in 1940

and that you were becoming very close

A. I received it from the 1940's.

Q. Now, you said that you received it in 1940

and that you were becoming very close

Q. Now, you said that you received it in 1940



1 we were not doing, and replied to it.

2 Q. I have here a copy of a
3 confidential letter signed apparently by
4 E.V. McNeill, Commissioner of Police, dated
5 May 8, 1957 to the District Inspector, Chatham,
6 re Activities re Gambling, and it reads
7 as follows:

8 " Confirming our telephone
9 "conversation of this morning,
10 "I wish to advise that Mr. W.B.
11 "Common, Q.C., Department of the
12 "Attorney-General has apparently
13 "received a complaint from Mr.
14 "Herman, Solicitor, representing
15 "the gambling fraternity operating
16 "in your district, that Ontario
17 "Provincial Police personnel when
18 "checking vehicles entering the
19 "gambling establishments under
20 "observation in your district are
21 "advising the occupants of these
22 "autos that they have no business in
23 "the vehicles or in attending the
24 "gambling premises.

25 " If this practice is being
26 "followed by personnel of the Force
27 "under your supervision, it should
28 "be immediately discontinued and I
29 "would instruct that you let me have
30 "a report verifying or denying such





policy on the part of our personnel.

that

I would instruct you let me

have a reply by return mail."

And the following day, you sent this letter, May 9, re Army, Navy and Air Force Veterans Club # 327, directed to the Commissioner, Ontario Provincial Police.

I wish to acknowledge

receiving your directive, Sir,

date of the 8th instant concerning

the above, and to advise, Sir, that

following our telephone conversation

in this connection, I immediately

proceeded to Essex, and there,

personally, consulted with Corporal

M.S. Graham, who together with Prov.

Const. L.O. McKenzie, of our Essex

Detachment, have been assigned

observation duty on the marginally

named club.

positively

I was positively assured by

Corporal Graham, that the accusations

complained of by Mr. Herman, solicitor

of the club, with respect to state-

ments having been made by our personnel

to occupants of autos entering the

Club, have never been made.

On one occasion, on checking

an auto leaving the Club, with

defective lights, Prov. Const. L.O. McKenzie



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1 "did ask the driver, 'Why his visit to
2 "the Club was so short?' The
3 "driver replied, 'When the man on
4 "the Gate said - Don't go in, we
5 "never questioned him.' This was
6 "the one and only occasion that
7 "Corporal Graham could recall that
8 "any reference was made to the club
9 "or regarding visits to the Club
10 "by Provincial Police personnel
11 "assigned for observation on the
12 "checking of vehicles entering or
13 "leaving the Club."

14 Q. And that letter was sent out by
15 you?

16 A. That's right.

17 MR. HOGG: I wonder if these two letters
18 could be entered as an exhibit, as I wish to
19 -- Mr. Herman might be questioned on the
20 contents of these later.

21 ---EXHIBIT NO. 151-A: Letter dated May 8th, 1957
22 from R.V. McNeill to the
23 District Inspector, O.P.P.

24 ---EXHIBIT NO. 151-B: Letter dated May 9th, 1957,
25 from Inspector Ramsbottom,
26 to the Commissioner, O.P.P.

27 MR. HOGG: Q. Did Mr. Herman ever
28 contact you personally, or were his complaints
29 made through the Deputy Commissioner Bartlett,
30 or the Attorney-General's Department?

A. Mr. Herman never contacted me



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1 personally.

2 Q. Did you ever learn where he
3 got this erroneous information from?

4 A. I assume it came from the
5 operators. It was their strategy to kill
6 police initiative. This was in the discussion
7 with the Commissioner, and he agreed with me
8 that the reason the complaints were made was
9 to kill police initiative.

10 THE COMMISSIONER: What is the date of
11 that letter?

12 MR. HOGG: That was May 8th and 9th,
13 Mr. Commissioner.

14 Q. Now were you at a meeting, or
15 did you have any knowledge of a meeting on
16 July 12th?

17 A. No, sir.

18 Q. Now, I show you a letter of July
19 12th, apparently an original, to Sergeant
20 J. H. Hatch, Essex Detachment, re Army, Navy
21 & Air Force Veterans Club. This is July
22 12th, 1957, and it is from Chatham Headquarters;

23 " In this connection, at 11:00

24 "a.m. July 12, 1957, I received a

25 "telephone call from Assistant

26 "Commissioner James Bartlett reporting
27 "be

27 "a change in policy to be followed

28 "by the officers assigned to observation

29 "duty on the above noted club as

30 "follows:



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1 " Until further advised from
2 "G.H.Q., Toronto, officers of Essex
3 "Detachment will not maintain
4 "constant observation on or take
5 "names of persons entering the
6 "above noted club. Instead
7 "officers of Essex Detachment will
8 "make periodic observations on the
9 "club and if traffic or conditions
10 "warrant a search, same will be
11 "effected by Essex Detachment.

12 " Your weekly report of July
13 "18th should record this change in
14 "policy, effective July 12, 1957.

15 " When I hear anything further
16 "I will advise you. I expect the
17 "above noted telephone call will be
18 "confirmed by letter."

19 Q. Now, was there a meeting in
20 Toronto that you were aware of that Bartlett
21 attended at ten o'clock?

22 A. Not to my knowledge, sir.
23 There could have been, I wouldn't know in
24 Toronto. I received a phone call from him,
25 and that was it.

26 MR. HOGG: That will be entered as
27 the next ~~am~~ exhibit.

28 THE COMMISSIONER: Exhibit 152 ---

29 Exhibit No. 152:

Letter dated July 12th, 1957,
from Inspector Ramsbottom
to Sergeant J.H. Hatch.



1 MR. WILSON: Where did that come from?

2 MR. HOGG: It came from a file which
3 we have, from Sergeant Hatch, who was looking
4 at it and requested --

5 THE COMMISSIONER: Mr. Hogg, there is
6 no objection.

7 MR. WILSON: No, I just wanted to make
8 sure.

9 MR. HOGG: Q. Did Bartlett advise you
10 that there had just been a meeting, Inspector?

11 A. No, sir.

12 Q. How did you know Sergeant Jack
13 Clark, and if so, who was he? Staff Sergeant
14 Clark.

15 A. Yes.

16 Q. Who was he, sir?

17 A. Clark, was that not Robert Clark?

18 Q. It might be. Do you have a
19 Staff Sergeant Clark with you?

20 A. Not now.

21 Q. He is dead, I believe?

22 A. He is dead, but he was a sergeant,
23 and when Sergeant Hatch came there he went to
24 Peterborough as a Staff Sergeant.

25 Q. And prior to Hatch's arrival,
26 had you ever discussed the club with Clark?

27 A. I don't recall any discussion,
28 sir.

29 Q. One or two last things. In
30 your meeting with Commissioner McNeill, in regard



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1 to Inspector Stringer, did Commissioner McNeill
2 advise you of any activities of Inspector
3 Stringer had become involved in?

4 A. He did relate some problem.
5 I didn't pay too much attention., I knew
6 that the Commissioner was upset.

7 Q. What were these problems?

8 A. Well, it was not the first time
9 that that had happened. Now I don't know --
10 then he related back other things similar,
11 about, well, the first thing ---

12 Q. I would like to explore those
13 a little bit, Inspector. Is that the first
14 time this sort of thing happened?

15 A. That is correct.

16 Q. And then he related some other
17 occasions of a similar nature?

18 A. That's right, interfering with
19 getting men transferred or something like
20 that, things that didn't concern him. I
21 just didn't follow it all, he was just talking
22 away.

23 Q. Are you able to indicate any
24 specific incidents?

25 A. No, I couldn't.

26 Q. Anything about a gold mine
27 mentioned to you?

28 A. Could have been mentioned.

29 Q. Selling a gold mine?

30 A. He talked about his activities, now,



1. The first of these is the fact that the
2. government has been unable to secure the
3. necessary funds to carry out its policy.
4. This is due to the fact that the
5. government has been unable to secure the
6. necessary funds to carry out its policy.
7. This is due to the fact that the
8. government has been unable to secure the
9. necessary funds to carry out its policy.
10. This is due to the fact that the
11. government has been unable to secure the
12. necessary funds to carry out its policy.



1 I don't know. They were many, and I don't
2 know just what they are.

3 Q. They were many?

4 A. They were many.

5 MR. HOGG: Thank you, sir.

6 THE COMMISSIONER: Mr. Brewin.

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11 EXAMINED BY MR. BREWIN:

12
13 Q. Mr. Ramsbottom, at the meeting
14 on July 9th, the subject of keeping this
15 informant's name carefully, was discussed, as
16 you have already told us, and I think Inspector
17 Hatch went so far as to say that the life of
18 the informant might be in danger if there were
19 any question of his name getting out. Is
20 that right?

21 A. That was mentioned, yes.

22 Q. Yes, and I think you said that
23 Mr. Common said, their request not to report
24 the name was a proper and reasonable request?

25 A. Yes.

26 Q. That is right, isn't it?

27 A. Yes.

28 Q. And I think you said that someone
29 else agreed with that, I forget who it was,
30 and the Commissioner eventually ---



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1 A. That's correct.

2 Q. And that was eventually the
3 decision of the group, that the request that
4 the name be kept to Inspector Hatch, and I
5 think you knew it already, and that request
6 was accepted and agreed on?

7 A. Yes.

8 Q. Then can you explain, do you
9 know what this reference was, you say, that
10 after the meeting, after the meeting closed
11 and that decision had been made, Bartlett
12 spoke to Hatch and said, "What have you got"
13 or "Who have you got". Did you understand
14 at that time what he was referring to, was
15 he referring to this informant?

16 A. It was clear enough to me that he
17 was trying to find out what the Sergeant had
18 and what he had as access.

19 Q. In regard to the question, "who
20 have you got?", you don't know of any other
21 question that could refer to the exact name
22 of the informant ---

23 THE COMMISSIONER: Was it not a
24 question of "Who have you got?"

25 MR. BREWIN: He said both, "What have
26 you got?", or "Who have you got?".

27 A. It could be either one, I am
28 not too sure.

29 MR. BREWIN: Q. But it related to
30 the secret information in regard to the informer



... ..



1 on this club, did it not?

2 A. I think we said we had the club
3 on the run. If we were successful in the
4 use of this informer, and we had by way
5 of evidence, it could include - when he said,
6 "what have you got?", it could include more
7 detail when it was got, but this was the
8 thing only, that was emphasized, that the name
9 should be kept confidential.

10 Q. That was the only subject matter
11 that he could have been inquiring into?

12 A. That is what I thought.

13 Q. After the meeting, you decided
14 not to make that public to anybody, not even
15 to hand it on to the Commissioner or the
16 Attorney-General's Department?

17 A. That's right.

18 Q. Or the Crown Attorney, I believe
19 it was mentioned. Is that right?

20 A. I think so.

21 Q. Well, what right had Bartlett
22 to get this information, do you know?

23 A. He might have had some personal
24 reason, but it sounded silly to me, it
25 sounded as if we were being treated, or the
26 Sergeant was being treated as a kid, for
27 him to come along and ask for any information
28 that he might pry out of him - I don't know.

29 Q. Well, you had just decided for
30 rather grave reasons, the possible danger to



on this side, that is to say

A. I think we are in the same line

on the other. It is more or less the same

and of this character, and we find it very

in evidence, in some cases, in some cases

there is a great deal of evidence, in some cases

detail when it is not, but it is not the

only thing we are looking for, and we are

looking for the same thing.

B. There are two things, one is to

find the things that are in the same line

that is what I am looking for.

A. About the same, and the same

not to make that kind of evidence, but to

to find it in the same line, and to

to find it in the same line, and to

A. That is right.

B. On the other hand, I am looking

it is not the same, and it is not the same

A. I think so.

C. Well, that is not the same, and it is not

to find the same, and it is not the same

A. I think so, and it is not the same

because, but it is not the same, and it is not

because, but it is not the same, and it is not

because, but it is not the same, and it is not

because, but it is not the same, and it is not

because, but it is not the same, and it is not

B. Well, you are not looking for the same

because, but it is not the same, and it is not



1 the life of the informer, not to hand on that
2 information to anybody?

3 A. Yes.

4 Q. Were you not shocked when
5 Bartlett asked immediately after that decision
6 for this information?

7 A. I would be a little shocked.

8 Q. You were a little shocked? I
9 would think so, and did you recall how I
10 suppose Inspector Hatch was in a junior or
11 subordinate position, as far as he, Bartlett,
12 was then a Deputy Commissioner, was he?

13 A. Assistant Commissioner.

14 Q. Well, he was definitely in a
15 junior or subordinate position?

16 A. That's right.

17 Q. Do you recall how he answered
18 this request for further information?

19 A. Well, he answered it, quite -
20 he just sort of shrugged it off, and that
21 was the sort of answer he gave him.

22 Q. Did you have any occasion that
23 you know of, when Bartlett seemed to pestering
24 you for information about this Roseland Club?

25 A. No, sir.

26 MR. FREWIN: That is all.

27 THE COMMISSIONER: Mr. Rose is not here.
28 Mr. Wilson, are there any more questions?

29 MR. WILSON: No, sir.

30 THE COMMISSIONER: Thank you.



The list of the former, and as such as well

information to be given

A. Yes.

A. How far has the matter been

discussed with the committee?

The committee

A. I would be a little more

A. The committee is a little more

well informed as to the matter

and the committee is a little more

informed as to the matter

and the committee is a little more

A. The committee is a little more

A. Well, the committee is a little more

informed as to the matter

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and the committee is a little more

informed as to the matter



1 ---The witness withdrew.

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5 ---Whereupon the hearing adjourned at 5:00 p.m.
6 until Wednesday, May 16, 1962, at 10:00 a.m.

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IN THE SUPREME COURT OF ONTARIO

BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton, in the
County of Hastings, Deceased, and
WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.



the Copy

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Royal Commission on Crime,

Wednesday May 16/62.

P. 4923 — 5129.

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Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and

FREDERICK H. LITTLE,

Defendants.





VOLUME 24

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ERRATA

(Volume 23, May 15, 1961)

Page 4903

Line 14 - Read "The Commissioner" for "Mr. Hogg"

Line 15 - Read "Mr. Hogg" before "Q."



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WEDNESDAY, MAY 16TH, 1962

---On resuming at 10:10 o'clock a.m.

MR. BREWIN: Mr. Commissioner, before we proceed with the evidence, I should like to make a few observations, if I may.

THE COMMISSIONER: Certainly.

MR. BREWIN: Mr. Commissioner, I was not here yesterday, when my friend Mr. Common raised a matter, and made some observations. Since then I have had an opportunity to discuss the matter raised by Mr. Common, and your own observations about Mr. MacDonald; and Mr. MacDonald has asked me to make clear his respect for this Commission and his desire to assist it in any way in his power. He has not commented on the evidence before this Commission and does not propose to do so; he is, however -- and I have to make it clear, respectfully -- firmly of the view that as a Member of the Legislature he reserves the right to comment, as he sees fit, and on his responsibility as a Member of the Legislature, on the conduct of public officials.

He will seek to exercise this right in a way that will avoid embarrassment to you in the carrying out of your difficult task.

So far as the position of my friend Mr. Common, and Mr. Wilson, is concerned, I



--ON TUESDAY AT 10:15 A.M.

MR. BROWN: Mr. Commissioner, before

we proceed with the evidence, I should like

to make a few observations, if I may.

THE COMMISSIONER: Yes.

MR. BROWN: Mr. Commissioner, I am

not here yesterday, when my friend Mr. Brown

witnessed a murder, and made some observations.

Since then I have had an opportunity to

discuss the matter raised by Mr. Brown, and

your own observations about Mr. Brown.

and Mr. Brown has asked me to make some

remarks for this Commission and the

fact is that it is my duty to do so.

It has not occurred on the witness stand

that Commission and soon will propose to do so.

He is, however -- and I have no doubt

clear, respectively -- fairly of the law.

That is a matter of the Legislature.

reserves the right to comment, as he does.

and on this responsibility as a member of

the Legislature, on the conduct of public

officials.

It will soon be expected that

in a way that will avoid a discussion of

you in the carrying out of your duties.

So far as the position of my friend

Mr. Brown, and Mr. Wilson, is concerned, I



1 do not think anything could be gained by re-
2 hashing any minor differences we may have.

3 I just want to make it clear that Mr.
4 MacDonald intended no personal reflection
5 either on Mr. Common or on Mr. Wilson.

6 While I am on my feet, there is another
7 matter I should like to raise.

8 THE COMMISSIONER: Are you through
9 with that particular matter?

10 MR. BREWIN: Yes.

11 THE COMMISSIONER: If you are through,
12 there is something I want to say.

13 I am not at all certain that I made
14 my position clear yesterday.

15 It is just a bit distressing to me to
16 read that from one political platform the
17 statement is made to the effect that I am here
18 engaged in something resembling an obstacle
19 race; that obstacles being placed before me,
20 that it is bound to affect the result of
21 this investigation, or likely to do so, and
22 then from another political platform to read
23 that it is suggested that I should not be
24 here at all: That this is not the way to deal
25 with the matters that gave rise to the
26 creation of the Commission. That is what
27 I meant when I said yesterday or when I
28 spoke of this Commission being used as a
29 sort of political football.

30 I have a job to do, and I will do the



DO NOT WRITE IN THESE SPACES

REMARKS BY SALES REPRESENTATIVE OR AGENT

I just want to make it clear that

the following is a summary of the

information on the subject of the

which I am on my feet, there is no

factor I should like to raise

the following: And the

which have been mentioned

Mr. [Name]: Yes

Mr. [Name]: It is not

there is something I want to say

I am not at all certain that I have

any position about

in the fact that I am

that that there are

statements is made to the effect that I am

engaged in something

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that at all: that this is not

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of the

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I am a



1 best I can, but observations such as I have
2 just referred to are, to put it mildly,
3 distressing to me; and I plead with those
4 who have done so up to date, that they desist
5 from doing so, and leave me to do the job as
6 best I can. When I am all through, and
7 I have written my report, then anybody who
8 chooses can examine it and direct it, and
9 pull it to pieces. And they can deal with
10 it in any way that they like. But in
11 the meantime, just leave me alone, and let
12 me do my work.

13 I hope I have made it perfectly clear;
14 and that I will not have to raise the subject
15 again.

16 MR. BREWIN: And I hope I have made
17 it clear that Members of the Legislature
18 have their own responsibilities, and they have
19 to discharge them as they see fit.

20 Your observations will be conveyed to
21 the gentlemen I am in touch with, and I hope
22 your observations will also be conveyed to
23 gentlemen other people here are in touch with.

24 THE COMMISSIONER: Thank you, Mr. Brewin.

25 Now, is there any other matter you
26 wish to raise at this time?

27 MR. BREWIN: Yes. You will remember
28 that some days ago I requested, when Sergeant
29 Anderson was being examined in respect of an
30 item in his diary of 1962, the exact date escapes



I have been thinking about you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I still find time to think of my friends. I have been thinking about you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I still find time to think of my friends. I have been thinking about you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I still find time to think of my friends.



1 my mind, that it was suggested that Chief
2 Constable McGill be recalled in connection
3 with that item. I notice that Chief Constable
4 McGill has been talked about; I spoke to
5 my friend Mr. Wilson, who informed me that
6 at this stage it was not intended to recall
7 the Chief Constable, and I have mentioned
8 this to you.

9 THE COMMISSIONER: Yesterday.

10 MR. BREWIN: I am now saying, I do not
11 want to press the application at this stage,
12 but I do want to remind you, sir, that in
13 our view Chief Constable McGill should be
14 recalled. I do not want to ask for a ruling
15 on the matter now, but I would ask your
16 consideration; and if there is any doubt about
17 it, I will be glad to make the submissions
18 in respect of that.

19 THE COMMISSIONER: Thank you.

20 Mr. Wilson?

21 MR. WILSON: I call Mr. Gordon Ford.
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GORDON WINFIELD FORD, Q.C., sworn

EXAMINED BY MR. WILSON:

Q. You are a practising barrister in the City of Toronto?

A. I am, Mr. Wilson.

Q. Of some years' standing?

A. I was called in 1934 and apart from the war years, have been practising since.

Q. You were retained by the Attorney-General of this Province to prosecute on behalf of the Crown a case against Joseph P. McDermott, Vincent B. Feeley and Robert J. Wright?

A. I was.

Q. And approximately when were you retained in that connection?

A. My recollection, Mr. Wilson, is that I first received a call from the Director, Mr. Bowman, about the 28th of February, inquiring as to whether I would be free to act; my only queries were by reason of the fact that I was informed that the preliminary was commencing, I believe on March 21st, and once the briefs got to me it might be a matter of two weeks. As a result of that, I inquired as to who was in charge of the case, on which I was being retained by reason of the necessity of change of counsel, and when I found that now Chief Inspector Graham was



THE UNITED STATES OF AMERICA

IN SENATE

January 10, 1906

REPORT

OF THE

COMMISSIONERS

OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

ON JANUARY 10, 1906

AND

IN RESPONSE TO A RESOLUTION PASSED BY THE HOUSE OF REPRESENTATIVES

ON JANUARY 10, 1906

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ON JANUARY 10, 1906

AND

IN RESPONSE TO A RESOLUTION PASSED BY THE HOUSE OF REPRESENTATIVES

ON JANUARY 10, 1906



1 in charge of the case - for whom then and
2 now I have the greatest respect and confidence -
3 I said if he were preparing the brief I felt
4 I could prepare it. I guess I was
5 officially retained, in answer to your question,
6 perhaps the 3rd of March.

7 Q. And following the preliminary
8 hearing, the matter proceeded to trial, as
9 I recollect, on one count?

10 A. On the first count of conspiracy
11 to bribe.

12 Q. And that, as I have it before
13 me, was count 1; that is, between the first
14 day of January, 1960, and the first day of
15 July, 1960, in the Province of Ontario, they
16 unlawfully agreed and conspired together
17 to commit an indictable offence under Section
18 101-B of the Criminal Code of Canada, by
19 corruptly giving money to George Scott, a
20 peace officer of the Ontario Provincial Police
21 Force, with intent that the said George
22 Scott should interfere with the administration
23 of justice, contrary to the Criminal Code
24 of Canada, Section 408-1-D; and that was
25 the charge that was proceeded with?

26 A. That is the one that was
27 proceeded with, Mr. Wilson.

28 Q. And the trial took place before
29 the Honourable Mr. Justice Spence?

30 A. That is right.

[illegible]



1 Q. And a jury?

2 A. That is right.

3 Q. At Toronto.

4 A. That is true. In the Supreme
5 Court Assizes.

6 Q. And in the course of that trial
7 references were made, and evidence was
8 introduced, to what we know here as the Scott
9 report, the George Scott report that has
10 been filed as Exhibit No.61. Could I have
11 Exhibit No.61, and show it to the witness
12 (indicating).

13 A. (Looking at document)

14 THE COMMISSIONER: Q. That is the report?

15 A. Yes, Mr. Commissioner. It was
16 not my recollection that this was filed as
17 an exhibit.

18 MR. WILSON: Q. I just wanted to be
19 clear about that. I just want to know the
20 extent that use was made of that, in the court,
21 of the presentation of the Crown's case.

22 A. Well, Mr. Wilson, it is my
23 recollection without refreshing myself from
24 the evidence that these reports were made
25 available to Scott, and to refresh his memory,
26 as well as his diary. It is not at the
27 moment my recollection that they were filed
28 as exhibits. I believe they were also
29 available to defence counsel, or copies of them.

30 Q. Possibly we should have Constable



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1 George Scott's diary for that year, which
2 would be 1960. Would you show that to the
3 witness, please.

4
5 ---Whereupon the Registrar indicated a
6 document to the witness.

7 THE WITNESS: The Scott originals,
8 produced to me, Mr. Commissioner, it is
9 certainly my recollection that these were
10 Scott's original reports that were available to
11 me, and available to him - I do not mean to
12 equivocate, but it is a little difficult
13 to say whether or not any of these were filed.
14 That is a matter of record. I do not think
15 they were. But they were all available
16 to him.

17 THE COMMISSIONER: Q. Mr. Wilson's
18 question was, that reference was made to the
19 reports; that is so?

20 A. Yes, my lord.

21 Q. And also to his diary?

22 A. Yes, my lord - Mr. Commissioner.

23 The witness had the diary which is before me
24 for purposes of refreshing his memory throughout
25 his evidence. I am referring to what I
26 know appears to be now Exhibit 89 before this
27 Commission.

28 MR. WILSON: Q. Now, I want to refer
29 to a speech given by Mr. J.J. Wintermeyer in
30 the Legislature on November 29th, 1961, a copy



1. NAME _____



1 of which has been filed as Exhibit 3 here.

2 And at page 102 ---

3 THE COMMISSIONER: May I see it, please?

4 MR. WILSON: And in the first column
5 on page 102, the third paragraph, we have:

6 " Now, Mr. Speaker, I have
7 "said there has been evidence given
8 "in court on all these matters I
9 "have listed. The hon. Attorney-
10 "General and others may say it is
11 "hearsay evidence. I agree with
12 "him, and I will deal with that
13 "point in a moment. Before I do,
14 "however, I wish to give the House
15 "some information which has not
16 "been given in court.

17 " As most hon. members may know,
18 "most of the matters I have just
19 "enumerated result from an under-
20 "cover investigation by Constable
21 "George Scott of the anti-gambling
22 "squad of the Ontario Provincial
23 "police, who was instructed by
24 "his superiors to accept a proposition
25 "from Robert J. Wright that he supply
26 "warnings about raids and other
27 "information on the activities of
28 "the anti-gambling squad to certain
29 "gamblers, who were later identified
30 "as Vincent Feeley and Joseph McDermott.



of which has been filed as Exhibit 3 here.

and is page 102 --

the investigation was a very full one.

Mr. Wilson: And in the first column

on page 102, the third paragraph, we have:

"Now, Mr. Speaker, I have

"and have the same evidence given

"in court on all three matters."

"Have I not? The Hon. Attorney-

"General and others may say it is

"different evidence. I want to

"say, and I will deal with that

"point in a moment. Before I do,

"however, I wish to say to you

"that information given to me

"has been given in court."

"As most hon. members may know,

"most of the matters I have just

"enumerated result from an investi-

"gation conducted and by contract

"through most of the anti-trading

"agents of the Ontario Provincial

"Police, and the information is

"this information to secure a proposition

"that would be with you in regard

"to matters about trade and other

"matters in the province of

"the anti-trading agents in Ontario

"members, who were never identified

"in the report of the anti-trading



1 " Constable Scott, as is
2 "customary, kept an official diary
3 "of that undercover investigation
4 "and also supplied progress reports,
5 "directly to Assistant Commissioner
6 "Kennedy and Commissioner W.H.Clark
7 "who we may assume kept the hon.
8 "Attorney-General informed.
9 "Constable Scott's diary was not
10 "submitted in evidence at the trial
11 "of Wright, Feeley and McDermott,
12 "but because it formed the basis
13 "of the Crown's case, copies were
14 "supplied to the three defence
15 "counsel. Mr. Speaker, most of
16 "the entries in the diary came out in
17 "court, but some did not. I shall
18 "read the relevant items which were
19 "left out, omitting the names of the
20 "individuals concerned.

21 " An entry on February 29, 1960,
22 "reported that Wright told Scott and
23 "I quote:

24 " 'Said the fix was in at
25 " Queen's Park, re cancellation
26 " of the Vets Club charter.'

27 " An entry concerning a phone
28 "call on May 14, 1960, reported that
29 "McDermott told Scott:

30 " 'May have inspector bribed at



" 'St. Kitts,' and 'Intimated -
" (and here the name of a senior
" official of the department of
" the hon. Attorney-General) - on
" payroll. Said to ask - (and
" again the name of the official)
" - something and I'll tell you
" what he has said the next day.'

" The entry for this date further
" reported when McDermott 'Talked about
" the branch being stopped from using
" hammers at Cooksville and being told
" to time the door.' Another entry
" dated May 16, 1960, said:

" 'Bartlett received money from
" McDermott for telling when
" warrants were signed. Received
" \$2,000 once at a party with -- '
" And then a member of a previous
" government is named.

" An entry concerning a meeting
" of Scott, Wright and Lawrence on
" May 17, 1961 reported that Lawrence
" said senior official of the hon.
" Attorney-General's department was
" receiving \$300 a month from the
" gamblers.

" Mr. Speaker, why were these
" entries in Constable Scott's diary
" not introduced in evidence? No



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1 "doubt the hon. Attorney-General
2 "may say it was all hearsay evidence,
3 "but not the sort of thing to be
4 "read in court without the support
5 "of other evidence. Why then, Mr.
6 "Speaker, were many of the matters
7 "which I have given to this House read
8 "into evidence? Most of them, the
9 "references to Lawrence, to Lamorie,
10 "to Cronin, to Bartlett, and so on,
11 "were on the same legal footing
12 "as the references which were not
13 "disclosed. The references to
14 "Stringer and to Wright were
15 "substantiated by other evidence
16 "but the remainder were not. Why
17 "then were some put in and others
18 "not?"

19 Now, having in mind the statements made
20 by Mr. Wintermeyer about the inclusion of
21 certain information based on the diary
22 entries, and the fact that certain other
23 information contained in the diary, or informa-
24 tion contained in the diary was not referred
25 to in the trial, will you tell us upon what
26 basis you, as Crown counsel, proceeded to
27 deal with the introduction of such parts of
28 the diary notations, or evidence based on
29 these introductions, as was received in evidence.

30 A. Well, first, Mr. Wilson, if it



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1 is not clear, the decision as to what evidence
2 must have been introduced and how it was to
3 be introduced in the planning of the Crown's
4 case, before that at the preliminary and
5 the trial, was my decision; and it was then
6 my responsibility and it is now my responsibility.

7 As to the various references that
8 you have read to me, first my recollection ---

9 MR. WILSON: I wonder if the witness
10 could have an extract; an extra copy.

11 THE WITNESS: It might be helpful.

12 First, my recollection is concurrent
13 with the statements there, that these references ---

14 MR. WILSON: Q. Just a moment.

15 Page 102.

16 A. Page 102?

17 Q. Do I understand that any
18 decision as to what part of - what use would
19 be made of the diary, or the reports, was
20 your sole decision?

21 A. It was my sole decision and my
22 responsibility then and now, as to what
23 evidence should be introduced. I mean, with
24 respect to the Court, subject to the rulings
25 of the Court, as to what evidence should be
26 tendered at the preliminary and at the trial.

27 Q. And in arriving at your decision,
28 did you discuss the matter with any of the
29 members of the senior legal personnel of the
30 Attorney-General's Department?



1. The first of these is the fact that

2. there have been no changes in the

3. position in the planning of the

4. work, before the new organization

5. has been set up, and it is not

6. yet possible to say whether the

7. new organization will be

8. successful or not, but it is

9. clear that the new organization

10. will be a success if it is

11. able to do the work which

12. has been assigned to it.

13. The second of these is the fact

14. that the new organization

15. will be a success if it is

16. able to do the work which

17. has been assigned to it.

18. The third of these is the fact

19. that the new organization

20. will be a success if it is

21. able to do the work which

22. has been assigned to it.

23. The fourth of these is the fact

24. that the new organization

25. will be a success if it is

26. able to do the work which

27. has been assigned to it.

28. The fifth of these is the fact

29. that the new organization

30. will be a success if it is



1 A. May I preface it by this
2 comment, Mr. Wilson: This is not the first
3 time that I have been appointed as special
4 Crown prosecutor, and to the best of my
5 recollection, on each and every occasion that
6 I have been appointed, I have regarded as my
7 responsibility to consider the evidence, to
8 plan the Crown's case; to decide on the
9 plan and scope of the Crown's case, and as
10 to what ought to be introduced. To the best
11 of my recollection I have never sought
12 advice, once I was retained as special Crown
13 counsel, or given directions. There is
14 no exception here, except, in answer specifically
15 to your question, Mr. Wilson, between the
16 preliminary and the trial.

17 First, I should say as far as the
18 preliminary was concerned, the question of
19 what evidence would be tendered and not be
20 tendered was not discussed by me with anyone
21 in the Attorney-General's Department. The
22 decisions were made by me, and as I recollect
23 it, communicated only to the witness Scott,
24 who would be giving evidence, as to my views
25 on relevancy, and to Chief Inspector Graham.

26 Following the preliminary which, as I
27 recollect it, completed - it started ^{on the} first
28 day of spring, I remember that. The 21st
29 of March. And I think it went towards the
30 end of March, within the week. So, perhaps



1 some time in April I did ask, not for advice,
2 but for a report or investigation with respect
3 to three or four matters that had been
4 referred to at the preliminary. And those
5 investigations or reports, as I understand
6 it, were carried out and reported to me.

7 Then it was - it was my decision, and
8 mine alone, as to what should be introduced
9 at the trial.

10 Q. In other words, no person in
11 the Attorney-General's Department told you
12 what evidence was to go in, or what evidence
13 was not to be introduced?

14 A. Yes.

15 Q. In this case.

16 A. That is certainly correct.

17 Q. And during the course of the
18 trial before Mr. Justice Spence, I understand
19 there was certain evidence based on this diary -
20 on these diary entries - which was the
21 subject of argument and a ruling by the
22 trial Judge.

23 A. Mr. Wilson, yes; there were a
24 large number of such matters. At the
25 commencement of the trial it is my recollection
26 that there was sort of a blanket objection
27 raised.

28 Q. I do not think we need to go
29 into that.

30 A. There were a number of ---



some time in April I did not, nor for several
 the first of which the Government has shown
 to have no effect on the case.
 referred to in the testimony, and then
 investigation of records, and I understand
 it, were omitted out and referred to me.
 when it was - it was by accident, and
 time alone, as to what should be introduced
 at the trial.

Q. In other words, no action is

and I understand the Government's position and you

will examine the case and see if it is not correct

the way in which it is presented

A. Yes.

Q. In this case,

A. That is certainly correct.

Q. And would the Government of the

trial before Mr. Justice Brown, I understand

there was some evidence taken on this day -

on that day - which was the

subject of argument and a ruling by the

trial judge.

Q. Yes, I think, yes, that was

large number of such records, in the

statement of the trial it is my understanding

that there was some of a financial objection

to it.

Q. I do not think we need go

into that.

A. I think it is better to leave it



1 Q. Now, you did as a matter of
2 fact, following the trial, with the assistance
3 of a transcript of the evidence of the trial,
4 prepare a memorandum?

5 A. Yes.

6 Q. Headed, "Re Regina vs. Wright,
7 McDermott and Feeley. Memorandum re Objections
8 of Admissibility of Evidence at First Trial",
9 and I think this is a photostat of the report
10 prepared by you.

11 A. Yes. I was requested to do
12 that, and this is a photostatic copy of the -
13 with the exception of my signature, which
14 I am sure was on the original - and here
15 would not come out because of the ballpoint
16 pen. But this is a copy of the memorandum
17 I prepared under date of April 22nd, as to
18 objections to admissibility of evidence at
19 trial.

20 MR. WILSON: That will be Exhibit No. ---

21 THE REGISTRAR: 153.

22
23 ---EXHIBIT NO. 153: Memorandum of Objections
24 to Evidence at Trial, re
McDermott, Feeley and Wright.

25 MR. WILSON: On page 3, part 4 ---

26 THE COMMISSIONER: Have you got a
27 copy?

28 MR. WILSON: I have only got one copy.
29 I am not going to deal with it extensively,
30 Mr. Commissioner.



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29. The twenty-ninth is the fact that the

30. The thirtieth is the fact that the



1 THE WITNESS: It is in as an exhibit?

2 MR. WILSON: I will have copies of it
3 shortly; unfortunately they are not here at
4 the moment.

5 THE COMMISSIONER: That is Exhibit what?

6 MR. WILSON: 153.

7 Q. Part 4 is headed, "Objections by Wright
8 to Scott in Diary Reference of April 21st, 1961,
9 as to McDermott's trip to Jones --"

10 A. James.

11 Q. It says Jones here.

12 A. It was certainly James Bay.

13 Q. And then follows, as Part 5, 6 --
14 5 and 6 are also objections in regard to
15 further references of a similar character.
16 And I simply put that in to indicate the
17 nature of the objections, and the rulings made
18 by the trial Judge.

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22 (Page 4950 follows)
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THE UNITED STATES OF AMERICA
IN SENATE
COMMITTEE ON THE JUDICIARY

REPORT

ON THE

PROCEEDINGS

OF THE

COMMISSIONER OF THE GENERAL LAND OFFICE

IN CONNECTION WITH THE

LANDS

OF THE

STATE OF TEXAS

AND THE

LANDS

OF THE

STATE OF TEXAS

AND THE

LANDS

(Page 100)



1 MR. WILSON: Q. Now, coming back to the
2 reference in the speech of Mr. Wintermeyer,
3 of the parts that were not put in. He, at page 102,
4 in the second column at the top, lists the ones
5 that I read a few moments ago as examples of
6 the type of evidence which he said -- or, type
7 of entry which he said were not referred to in
8 evidence. Now, what comment have you to make on
9 this?

10 A. You mean, as to why I did
11 not tender them, Mr. Wilson?

12 Q. Yes.

13 A. Those were neither tendered
14 at the preliminary or at the trial. The decision
15 was mine. Counsel considered that these were
16 irrelevant and inadmissible and much too generous
17 and scandalous to be introduced. It is not
18 this counsel's policy to attempt to introduce
19 something which may be helpful to the Crown
20 if he considers it is not proper to be introducing
21 it or if it is not relevant or admissible.

22 Q. And that was your decision
23 and your decision alone?

24 A. That was my decision and my
25 responsibility.

26 Q. Now, the jury acquitted the
27 accused on this count?

28 A. They did.

29 Q. And, following the acquittal,
30 you made certain recommendations as to appeal



1 originally, or immediately following the acquittal?

2 A. Yes, almost immediately, Mr.
3 Wilson. I realize that may have been a little
4 bit impetuous from the standpoint of counsel
5 but my recommendations were made generally as
6 to an appeal, certainly, within a matter of a
7 few days following the verdict.

8 Q. Then, you obtained, I take it,
9 a copy of the transcript of the evidence --
10 Or, did you make any further --

11 A. Yes.

12 Q. Did you make any further or
13 other decisions before you obtained a copy of the
14 transcript of the evidence in respect to the
15 appeal?

16 A. I advised the Attorney General's
17 Department that, in view of circumstances that
18 had come to my attention, that there ought to be
19 an investigation of alleged circumstances that
20 might amount to an attempt to bribe one of the
21 jurors. So, there was a jury investigation,
22 if you may refer to it that way, with reference
23 to those charges, or possible charges. A
24 charge was laid, I advised someone else should
25 prosecute it. I believe it was dealt with
26 by the Crown Attorney of the City of Toronto,
27 or one of his assistants. The accused was
28 acquitted.

29 Prior to the trial I believe a charge
30 had -- almost certainly before the trial a charge



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1 had been laid out Cooksville way or New Toronto
2 of attempted bribery of a witness -- of a
3 Crown witness. That was -- on my advice, as
4 I recall it, that was properly deferred until
5 following the trial and, subsequently, I believe
6 the Crown Attorney in New Toronto withdrew that
7 charge. I was not acting.

8 Apart from these developments and the
9 information obtained from them, no doubt --
10 Certainly, it was my practice, and no doubt it
11 was here, no doubt the transcript of the learned
12 trial judge's charge to the jury was ordered.
13 I don't recall at the moment, Mr. Wilson,
14 whether that was available to me. We cannot always
15 get those in a day or two, as I recall. The
16 evidence which was ordered was not available
17 until perhaps November, 1961.

18 Does that answer your question?

19 Q. As I understand it, you later
20 recommended to the Attorney General that the
21 appeal not be proceeded with?

22 A. Oh, yes, that is right. But,
23 that was after I had obtained the transcript of
24 evidence, which was sometime late last fall,
25 and that was -- Well, it was in writing, Mr.
26 Wilson. Perhaps the third or -- my recollection
27 is the 13th of February of this year.

28 Q. I believe it was in February
29 of this year that you --

30 A. That is right.



1 Q. -- you wrote to the Attorney
2 General's Department and gave your considered
3 opinion on the matter of an appeal and recommended
4 against proceeding with it?

5 A. Yes, Mr. Wilson. As I recollect
6 we recommended they proceed on one or more of the
7 other counts, as advised.

8 Q. Have you a copy of that letter
9 that you wrote to the Attorney General's Department?

10 A. Yes.

11 Q. I would like to file a copy
12 of it.

13 A. I understood it should be here.
14 I have my office copy, Mr. Wilson.

15 Q. Well, possibly I could put in
16 this copy (indicating).

17 A. I brought this down this morning.
18 My memory is not that accurate; it is February
19 the 5th, not February the 3rd. There is also
20 a second letter of February the 7th, on a
21 supplementary point. I have no objection --

22 Q. You can keep that if this
23 (indicating) is a true copy. Would you just
24 look at it?

25 A. Yes. I presume I may have
26 sent it in duplicate. That certainly is a true
27 copy of the original report.

28 MR. WILSON: That will be an exhibit.
29 It is a copy of a letter dated February the 5th,
30 1962, from Gordon J. Ford to W.B. Common, Q.C.,



1. The first part of the report is devoted to a general survey of the situation in the country.

2. The second part contains a detailed analysis of the economic situation in the country.

3. The third part contains a detailed analysis of the social situation in the country.

4. The fourth part contains a detailed analysis of the cultural situation in the country.

5. The fifth part contains a detailed analysis of the political situation in the country.

6. The sixth part contains a detailed analysis of the international situation in the country.

7. The seventh part contains a detailed analysis of the military situation in the country.

8. The eighth part contains a detailed analysis of the scientific situation in the country.

9. The ninth part contains a detailed analysis of the artistic situation in the country.

10. The tenth part contains a detailed analysis of the sports situation in the country.

11. The eleventh part contains a detailed analysis of the health situation in the country.

12. The twelfth part contains a detailed analysis of the education situation in the country.

13. The thirteenth part contains a detailed analysis of the housing situation in the country.

14. The fourteenth part contains a detailed analysis of the food situation in the country.

15. The fifteenth part contains a detailed analysis of the clothing situation in the country.

16. The sixteenth part contains a detailed analysis of the transport situation in the country.

17. The seventeenth part contains a detailed analysis of the communication situation in the country.

18. The eighteenth part contains a detailed analysis of the energy situation in the country.

19. The nineteenth part contains a detailed analysis of the environment situation in the country.

20. The twentieth part contains a detailed analysis of the population situation in the country.

21. The twenty-first part contains a detailed analysis of the labor situation in the country.

22. The twenty-second part contains a detailed analysis of the income situation in the country.

23. The twenty-third part contains a detailed analysis of the consumption situation in the country.

24. The twenty-fourth part contains a detailed analysis of the savings situation in the country.

25. The twenty-fifth part contains a detailed analysis of the investment situation in the country.

26. The twenty-sixth part contains a detailed analysis of the foreign trade situation in the country.

27. The twenty-seventh part contains a detailed analysis of the tourism situation in the country.

28. The twenty-eighth part contains a detailed analysis of the immigration situation in the country.

29. The twenty-ninth part contains a detailed analysis of the emigration situation in the country.

30. The thirtieth part contains a detailed analysis of the overall situation in the country.



1 Deputy Attorney General.

2 THE REGISTRAR: Number 154.

3 THE WITNESS: That was supplemented
4 by one of February the 7th, Mr. Wilson.

5 MR. WILSON: I do not appear to have
6 a copy of the one of February the 7th. Possibly
7 we could file your copy of that.

8 THE COMMISSIONER: Well, put them
9 together as one exhibit.

10 MR. WILSON: Yes, one exhibit, A and B.
11 This is a copy of the further letter of February
12 the 7th.

13
14 ---EXHIBIT NO.154:(A) Copy of letter dated
15 5th February, 1962, from
16 Gordon W.Ford to W.B.Common,
17 Q.C., Deputy Attorney
18 General.
19 (B) Copy of letter dated
20 7th February, 1962, from
21 Gordon W.Ford to W.B.
22 Common, Q.C., Deputy Attorney
23 General.

24 THE COMMISSIONER: Q. The Notice of
25 Appeal had been given, hadn't it?

26 A. Yes, Mr. Commissioner. Notice
27 of Appeal was filed -- it was served, perhaps,
28 on the 30th of June, and filed within a day or
29 two thereafter.

30 Then, following the opinion I gave to the
Attorney General, I was instructed to abandon the
appeal. Notice of Abandonment was filed
and the appeal was dismissed.

MR. WILSON: Q. Whose decision was it



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The following is a list of the names of the persons who have been appointed to the various positions in the office of the Secretary of the State of New York, for the year 1900.

1. Secretary of the State: William C. Clegg.

2. Assistant Secretary: John W. Aldrich.

3. Chief Clerk: John W. Aldrich.

4. Clerk of the Office: John W. Aldrich.

5. Clerk of the Office: John W. Aldrich.

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29. Clerk of the Office: John W. Aldrich.

30. Clerk of the Office: John W. Aldrich.



1 to not proceed with the appeal?

2 A. It was my decision. It was my
3 decision that wrote that letter.

4 Q. What I possibly --

5 A. I can't say whose decision it
6 was that accepted my opinion and instructed me to
7 abandon it.

8 Q. Did any of the senior legal
9 personnel in the Attorney General's Department
10 attempt to influence you in any way on any of
11 your acts in connection with this proposed appeal?

12 A. No, sir, Mr. Wilson. I am
13 not aware of anyone in all those who have instructed
14 me who had attempted to influence me, if you mean
15 influence me improperly.

16 Q. Well, the terms of reference
17 here deal with improper relations, dealing with
18 influence of one kind or another?

19 A. No; that decision was mine.
20 That is, the decision which led to the recommendation
21 was mine. I think that I was informed by Mr.
22 Common, by perhaps, ^a telephone call, that my
23 decision was being accepted.

24 Prior to my coming to that conclusion
25 I believe Mr. Common had suggested to me the
26 possibility of another ground of appeal, and of
27 course quite properly. It was a matter I ought
28 to have considered, and I did consider it,
29 but I have not referred to it in my letter of
30 February the 5th, and that is the subject matter



1 of my letter of February the 7th. In other
2 words, saying, respectfully, in my opinion that I
3 had considered this possible grounds - that was
4 as to rejection of evidence, Mr. Commissioner -
5 and my opinion, under all the circumstances,
6 was that it was not a ground that would likely
7 succeed in the Court of Appeal.

8 Q. You have over the years,
9 acted as counsel for the Crown at the request of
10 the Attorney General's Department in this Province
11 on various occasions?

12 A. Yes, I have acted in both --
13 under instructions of the Minister of Justice,
14 to the Attorney General, and as special prosecutor
15 in Ontario cases on the instructions of the
16 Attorney General's Department.

17 Q. Restricting it solely to
18 matters you have acted for the Crown on the instructions
19 of the Attorney General's Department in the
20 Province, have you any knowledge of any improper
21 action on the part of any of the legal personnel
22 of that Department involving the termination
23 of any investigations you were making?

24 A. No, sir, I have none. Normally,
25 of course, counsel, as you know, Mr. Wilson, is
26 normally retained after investigations have been
27 completed.

28 Q. I appreciate that. I am using
29 the terms of the reference for the moment.

30 A. No, absolutely not.



of my letter of February 27th. The other

copy, which, I understand, is now in the hands of

the Attorney General's Department, is being

so far as the question of evidence, Mr. Commissioner

has no objection, and the same is being

sent to the Court of Appeals.

enclosed in the Court of Appeals.

Q. You have over the year,

acted as counsel for the State in the matter of

the Attorney General's Department in this Province

in relation to the

A. Yes, I have acted in such a

matter in connection of the Minister of Justice,

so the Attorney General, and as special counsel

in connection with the investigation of the

Attorney General's Department.

Q. Referring to the matter of

whether you have acted for the State in the investigation

of the Attorney General's Department in the

matter, have you any knowledge of any irregularities

on the part of any of the legal personnel

of the Department involving the investigation

of any irregularities you were making?

A. No, sir, I have none. Nothing.

of course, counsel, as you know, Mr. Minister, as

normally required when investigations have been

Q. I appreciate that. I am hoping

that you will be able to give me some

information.



1 Q. Again, using the terms of reference
2 as given in the second section, have you ever
3 had any experience of any suppression of
4 evidence?

5 A. May I --

6 Q. Improper suppression of evidence?

7 A. From me, as Crown counsel?

8 In all the matters --

9 Q. In any of your dealings?

10 A. None, to my knowledge, Mr.
11 Wilson. On each occasion the brief has been tendered
12 to me, either from the A.G.'s Department or
13 from an inspector of the Provincial Police,
14 and from then on I have carried on. It was
15 my responsibility and I was given a free hand.
16 There was no necessity for referring to the
17 Attorney General's Department as to advice or
18 decision or directions. I am certainly not
19 aware of anything that has been withheld from
20 me. Certainly, I have not been directed at any
21 time as to what should be tendered or what
22 should not be tendered.

23 Q. Finally, and again using the
24 language of the terms of reference, have you
25 any knowledge of any improper relationships
26 between senior legal personnel of the Attorney
27 General's Department, or any other personnel or
28 persons, with reference to the payment of money
29 or monies?

30 A. No, Mr. Wilson. I, like a



G.W.Ford

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1 number of those present, have read a great deal
2 about this matter and I have absolutely no
3 such knowledge, other than the hearsay references
4 that are in the various reports, such as the
5 Scott diary.

6 Q. What has been your own
7 experience of the ethics and practices of the
8 senior legal personnel in the Department of the
9 Attorney General?

10 A. Well, from my standpoint, I
11 have had no reason to question it in any way.
12 On the contrary, I have the greatest respect for
13 the senior ones with whom I have dealt. I do
14 not mean any inference as to junior ones but
15 it just has been my fortune to deal with senior
16 ones.

17 Q. Thank you.

18 THE COMMISSIONER: Mr. Hogg?

19
20
21 EXAMINATION BY MR. HOGG:

22
23 Q. Mr. Ford, you referred to an
24 indictment. Did you draft that indictment?

25 A. No, Mr. Hogg.

26 Q. Who was that drafted by?

27 A. I presume, Mr. Hogg, it was
28 drafted by the present Judge Alec Hall when
29 he was Crown Attorney at Oshawa. I so presume
30 because he was the counsel that had been



1 appointed to prosecute this matter and it was
2 my understanding this indictment was on his
3 advice, and that he was acting until just before
4 I was appointed. Of course, it is now obvious
5 why he could not act, because he was --
6 he had unofficially, or officially, as the case
7 may be, been informed of his appointment.

8 Q. You drafted the indictment,
9 I take it, after the preliminary inquiry and
10 presented it to the Grand Jury?

11 A. Mr. Hogg, I beg your pardon.
12 I should have recognized there was a charge and
13 an indictment. My remarks were intended to
14 refer to the charge.

15 THE COMMISSIONER: Q. The original
16 information?

17 A. The original information. The
18 indictment, as I recall, it followed it more
19 or less verbatim. That was drafted by me
20 and presented by me.

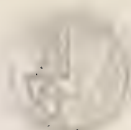
21 MR. HOGG: Q. In fact, it would be
22 signed by you?

23 A. Drafted by me and signed by
24 me, and presented to the Grand Jury in April.

25 Q. You have studied the evidence
26 in this case, obviously?

27 A. I have read it more than once.
28 I haven't seen it for a month or so.

29 Q. It was your privilege, should
30 you have seen fit to change the indictment, or



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1 to add any counts that were ^{disclosed} disposed by the
2 evidence presented at the preliminary hearing,
3 or in the alternative to get the consent of the
4 presiding judge or of the Attorney General
5 to present additional counts to the Grand Jury.
6 You had the power to deal with the indictment
7 as you saw fit?

8 A. Well, as you know, Mr. Hogg, --
9 Yes, there is -- It isn't too often used and,
10 with great respect, for the benefit of the
11 accused, I do not normally feel that anything
12 other than technical changes in an indictment
13 ought to be made after the preliminary. But,
14 certainly as Crown Counsel, I have the right
15 to tender additional charges or to ask for the
16 right to amend them at the -- I saw no need
17 for that.

18 Q. We have heard Wright was
19 arrested, if I am correct, on May the 28th, 1960,
20 and that McDermott and Feeley were arrested on
21 January the 9th, 1961.

22 A. That agrees generally with my
23 information, and no doubt you have the records
24 available to you.

25 Q. In your opinion, Mr. Ford,
26 on May the 8th, (sic) -- On May the 28th, 1960 --
27 is this is, I know, long before you heard about
28 this matter -- but on May 28th, the date of
29 Wright's arrest --

30 A. Or May 8th, I think you said.



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G.W.Pord

4961

1 THE COMMISSIONER: May 28th, I think,
2 is right.

3 THE WITNESS: May 28th, thank you.

4 MR. HOGG: Q. Was not there sufficient
5 evidence to warrant the taking out of a warrant
6 for the arrest of McDermott and Feeley?

7 A. Well, Mr. Hogg, that is a nice
8 question, and the only reason I pause in attempting
9 to consider it is the difficulty, as you appreciate,
10 in trying to distinguish in my mind and my
11 memory as to what evidence was available at that
12 time. Certainly Scott's evidence was available
13 at that time. Certainly Scott's evidence; I do
14 not need to refresh myself on that. His diary
15 and his reports were all available.

16 Q. I know there were investigations
17 made after the arrest of Wright, but leaving
18 this completely aside, as of May 28th, 1960,
19 was there not, in your opinion, sufficient evidence
20 to warrant the arrest of McDermott and Feeley?

21 A. Bearing in mind, as you have
22 noted, this is a year before I came into it,
23 but looking back at my recollection of the evidence,
24 Mr. Hogg, to answer your question, I must attempt
25 to distinguish between what evidence was obtained
26 afterwards. My recollection at the moment was
27 that Chief Inspector Graham -- now Chief Inspector
28 Graham was appointed in charge of this
29 investigation just a few days before Wright's
30 arrest, and there certainly was an intensive



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1 investigation thereafter, particularly as I
2 recollect it with reference to the question of
3 telephone calls. I have never, Mr. Hogg, had
4 occasion for considering your question. That
5 would require pretty careful analysis of the
6 evidence. But, my answer generally would be
7 that there would not have been -- my respectful
8 opinion would be that there would not have been
9 sufficient to charge Feeley at that time.
10 Certainly the case against McDermott, as well
11 as Feeley, was considerably strengthened as
12 a result of obtaining the very difficult and
13 interesting chain of circumstantial evidence
14 with reference to these telephone calls. There
15 might have been enough, but one has to be cautious
16 in these cases and just see what evidence there
17 was. There might have been enough re McDermott
18 but not as regards Feeley.

19 THE COMMISSIONER: Q. On what
20 charge was Wright arrested?

21 A. He was arrested on a charge --
22 Perhaps I should put it this way --

23 Q. Just on what charge was he
24 arrested?

25 A. I was attempting to recollect.
26 It was the bribery charge but whether it was one
27 or three of the substantive charges in the
28 indictment, I don't know. He was arrested on
29 one or more bribery charges which were the
30 substance of the charges in the indictment.



1 indicting Wright, McDermott and Feeley. He was
2 attempting to bribe George Scott in one or two
3 charges which were the substance of, perhaps,
4 counts, three, four and five of the indictment.
5 Subsequently, when McDermott and Feeley were
6 arrested, these charges were not proceeded with.
7 Perhaps they were nolle prossed to my recollection,
8 and a joint charge of conspiracy, the one on
9 which I proceeded, was laid against Wright,
10 Feeley and McDermott, plus three counts of
11 bribery and plus common gaming house.
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MR. HOGG: Q. Mr. Ford ---

THE COMMISSIONER: Mr. Wilson, haven't we got the information of the arrest?

MR. HOGG: I was going to ask ---

THE COMMISSIONER: Just a moment, please.

MR. WILSON: I have a copy of a brief here.

THE COMMISSIONER: Is it the information upon which he was arrested?

MR. WILSON: The information upon which he was arrested.

THE COMMISSIONER: The charge against him?

MR. WILSON: I have the list of the various accounts which, I take it, include the original charge.

MR. HOGG: Mr. Commissioner, I wonder if someone could produce the original information, and secondly, the original indictment?

THE COMMISSIONER: That is what I have been trying to get, Mr. Hogg, the information that led to the arrest of Wright.

MR. WILSON: I will have that in a moment, Mr. Commissioner.

MR. HOGG: I might be wrong, Mr. Commissioner, but I would have thought the information would have been made out after his arrest.

THE COMMISSIONER: There would have been a warrant for his arrest, charging him with such-and-such an offence.

[illegible]



1 MR. HOGG: Yes, and then they would
2 swear out an information.

3 THE WITNESS: You can't obtain a
4 warrant without an information.

5 THE COMMISSIONER: You can't get the
6 cart before the horse. The information is
7 laid and the warrant issued for the arrest.

8 Q. Isn't that the procedure?

9 A. Certainly, sir. I, of course,
10 was not acting, Mr. Hogg, at this time. But
11 there is no secret about it or mystery about
12 it, except my recollection does not assist me
13 as to whether it was one charge of attempting
14 to bribe George Scott or three, Mr. Commissioner,
15 as appeared in the final indictment. But,
16 in any event, the substance of it was the
17 same as counts 2 -- I am sorry, counts 3, 4
18 and 5 in the indictment. This charge
19 against Wright alone, attempting to bribe
20 George Scott.

21 MR. HOGG: A2 I may be wrong, Mr.
22 Commissioner, but I didn't realize one had to
23 have an information prior to issuing a warrant.

24 THE COMMISSIONER: On what basis do
25 you think a warrant is issued?

26 MR. HOGG: Application is made to the
27 Justice of the Peace for a warrant, and my
28 information is that most informations are
29 made up and hour or so after.

30 THE COMMISSIONER: Can you walk into a



Mr. [Name] was, and then they would

have been in [Location].

The [Name] was [Name] [Name]

[Name] [Name] [Name]

The [Name] [Name] [Name]

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1 Justice of the Peace and say, "I want a
2 warrant to arrest Joe Doe?". You must have
3 some information.

4 MR. HOGG: As I say, Mr. Commissioner,
5 I may be wrong, but I think that, not nine-
6 tenths, but over half, as far as the courts
7 are concerned, were made out after the arrest
8 of the accused. I may be wrong.

9 THE COMMISSIONER: Mr. Common is looking
10 at me.

11 MR. COMMON: It is the most astonishing
12 statement I have ever heard.

13 THE COMMISSIONER: I beg your pardon?

14 MR. COMMON: It is the most astonishing
15 statement I have ever heard.

16 THE COMMISSIONER: Mine or Mr. Hogg's?

17 MR. COMMON: No, not yours, Mr. Hogg's.

18 THE WITNESS: I can't really believe
19 Mr. Hogg means that.

20 MR. HOGG: Q. In any event, there
21 were a couple of counts of conspiracy and
22 then a number of substantiative charges laid
23 against Wright?

24 A. You are speaking of the charges
25 that led to the indictment?

26 Q. Yes.

27 A. That is right. The substantive
28 charges against Wright ---

29 MR. WILSON: This will maybe help you.

30 THE COMMISSIONER: Q. What was going on



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1 through my mind, if there was justification
2 for laying an information against Wright,
3 charging him for conspiring with McDermott
4 and Feeley, offhand it would strike me that
5 it would be enough to justify the arrest of
6 Feeley and McDermott. Does that sound
7 sensible to you?

8 A. I took the question ---

9 MR. HOGG: That is just the question I
10 was going to ask.

11 THE WITNESS: If I may, sir. The
12 question put to me on that was, in my opinion,
13 thinking back on the evidence, if I was
14 asked to advise at the end of May, was there
15 sufficient evidence to lay a charge of
16 conspiracy? In my opinion, distinguishing
17 as well as I can at this moment between the
18 evidence that became available after the
19 28th of May and what is available before, my
20 answer would be there was not sufficient
21 evidence to charge Feeley. There might have
22 been sufficient to charge Wright and McDermott,
23 but at most, it would have depended, to a very
24 great extent, of course, on the evidence of
25 Wright, alone. What came after was of very
26 major significance. There was a chain of
27 circumstantial evidence with relation to
28 phone calls that tied in with McDermott and
29 Feeley.

30 MR. HOGG: Q. Mr. Ford, if there is



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TO ORDER & V.I. OF CHAIRMAN JEFFERSON



1 sufficient evidence to justify a Justice
2 of the Peace in issuing a warrant charging
3 'A' with conspiring with 'B', isn't there,
4 vice versa, enough prima facie evidence to
5 justify a warrant charging 'B' of conspiring
6 with 'A'? Doesn't one follow the other?

7 A. That is right. My answer was
8 on the assumption it was my understanding,
9 perhaps in error, the original charge against
10 Wright was attempted bribery. I was not
11 acting at that time. I wasn't informed
12 until two weeks after the preliminary.

13 THE COMMISSIONER: Q. That is why it
14 is important to know what charge upon which he
15 was arrested.

16 A. And the fact that there was
17 an information laid doesn't mean, necessarily,
18 there was enough evidence to proceed. I
19 suppose it depends on the opinion of counsel.

20 MR. HOGG: Q. Well, while we are
21 waiting for the information to come, the
22 evidence in part in the possession of the
23 authorities at that time was that Scott had
24 made direct contact with McDermott?

25 A. That is right.

26 Q. And improper suggestions, according
27 to Scott, were made by McDermott to him?

28 A. By Wright and McDermott to
29 him.

30 Q. In your opinion, Mr. Ford, is that



1955 年 10 月 1 日 中国科学院图书馆 藏



1 not sufficient evidence to secure a warrant?

2 A. I presume you mean not a further
3 warrant, but to proceed with the prosecution.
4 It is this counsel's view that you should
5 not go before a Justice of the Peace to
6 obtain a warrant unless you have an honest
7 belief there is a strong prima facie case
8 and that it ought to be proceeded with, as
9 opposed to another further investigation
10 or some other charge. There was some evidence,
11 yes.

12 Q. I don't want to go through all
13 the evidence away back at that hearing, but on
14 the basis of the evidence that was available
15 on May 28th, and I am not talking about as
16 far as any other or more thorough investigation
17 Inspector Graham made after, but was there
18 not, in your opinion, a strong prima facie
19 case against Joseph McDermott?

20 A. There was certainly evidence
21 against Joseph McDermott as well as against
22 Wright. That depended - yes.

23 THE COMMISSIONER: Go ahead.

24 THE WITNESS: That depended, of course,
25 as my recollection serves me, almost entirely
26 on the evidence of Scott. Of course, you
27 and I know, of course, a person can obviously
28 be convicted on the evidence of one person.

29 MR. NOGG: Q. Yes, no corroboration
30 is required.





1 A. No corroboration is required,
2 I would have thought. I, of course, was not
3 consulted or in the matter at that time in
4 any way. I would have thought, had I been
5 consulted and those facts placed before me,
6 and there was not a search of the Bell
7 Telephone records, that I would have advised
8 what apparently took place. That is, a
9 search of the Bell Telephone records which
10 led, eventually, to very strong corroborative
11 evidence as far as McDermott was concerned,
12 and also some evidence bringing in Feeley.

13 But it is a little difficult to say, Mr.
14 Hogg, what counsel would have advised a
15 year before. There was certainly some
16 evidence and I would have thought that a
17 wise -- that wise judgment, knowing that other
18 evidence must be available, such as in this
19 case, records of phone calls, if they got
20 them early enough, I would have thought it
21 would have been a matter of wisdom to have
22 done what they did.

23 As far as the phone calls were concerned,
24 obviously they wouldn't have been available
25 afterwards. I learned during this case
26 as to how they can be ---

27 THE COMMISSIONER: We are getting away
28 from the point entirely.

29 Q. What Mr. Hogg wants to know is,
30 in your opinion, was the information that was





1 thought sufficient to justify Wright's arrest,
2 also sufficient to justify McDermott's arrest?

3 A. In May?

4 Q. At the time Wright was arrested?

5 A. In May of 1960?

6 MR. WILSON: The witness has already
7 answered that.

8 THE COMMISSIONER: I don't know whether
9 he has. He roamed off into something else.

10 THE WITNESS: I hadn't intended to.

11 THE COMMISSIONER: I know you hadn't
12 intended to.

13 THE WITNESS: I hadn't intended to.
14 Bearing in mind I wasn't consulted, and I
15 have to distinguish my mind as to what evidence
16 was available and what was not, but there
17 certainly was evidence, uncorroborated, which,
18 if believed, would be sufficient to produce
19 a prima facie case against McDermott and
20 not, in my opinion, against Feeley.

21 Although I might add, I would have
22 thought, if I knew, if I had been consulted
23 at that stage, I would have advised them to
24 attempt to get the telephone records.

25 MR. HOGG: Q. I still don't know what
26 your answer is. Is it "Yes"?

27 THE COMMISSIONER: I think I do.

28 THE WITNESS: There was, but it could
29 have been stronger if they waited, and nothing
30 against Feeley, if I recall it.



The first of these is the fact that the
 government has been unable to raise the
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 This is due to a number of factors,
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 government has been unable to raise the
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1 THE COMMISSIONER: Q. I thought you said
2 there was enough evidence to justify the
3 arrest of McDermott at the time Wright was
4 arrested, but later, further evidence was
5 discovered that supported the original
6 evidence that would have justified McDermott's
7 arrest.

8 A. And implicated Feeley, sir.

9 Q. And implicated Feeley. I have
10 got it now condensed, haven't I?

11 A. Yes, sir.

12 THE COMMISSIONER: All right.

13 MR. HOGG: Q. Now, you told us, Mr.
14 Ford, that it was your decision and your
15 decision alone as to what evidence would be
16 presented to the Court?

17 A. That is right.

18 Q. And that you did not receive
19 any instruction from anyone in the Attorney-
20 General's Department as to how to proceed?

21 A. That is right.

22 Q. Did you discuss these matters
23 with anyone, or the decision that you would
24 be reaching?

25 A. Yes, Mr. Hogg.

26 Q. On how many occasions, sir?

27 A. Well, I think first on the
28 preliminary. The first was prior to the
29 preliminary, two weeks or so, and at that time,
30 once I was retained and accepted the brief, I



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1 did not communicate with the Attorney-
2 General's Department at all. My recollection
3 is that they were not in touch with me.
4 The decision as to what would be introduced
5 and what the witness Scott would be advised,
6 was not considered relevant at the preliminary,
7 was made by me, and Chief -- now Chief
8 Inspector Graham, was informed by me and the
9 witness Scott was informed. Those, to my
10 recollection, were the only ones informed
11 before the preliminary. And re trial,
12 some time in April, Mr. Hogg, if my recollection
13 serves me correctly, following the preliminary
14 and prior to the trial, which was commenced
15 about the end of May, I was in a discussion
16 with the Attorney-General. I believe both
17 Mr. Bowman and Mr. Common, with reference
18 to certain evidence that had been introduced,
19 at the preliminary.

20 Q. Now, you spoke, Mr. Ford, of
21 some additional evidence that would corroborate
22 the evidence of Scott. That was the search
23 of the Bell Telephone records?

24 A. Yes.

25 Q. Now, when was that evidence
26 discovered?

27 A. Well, Mr. Hogg, I am sorry, I
28 can't answer that, equivocally. I am sure
29 it is all a matter of record. There is no
30 secret about it. This is -- you are speaking





1 of 1960 when Mr. Alex Hall, I presume, was
2 acting, and I came in the next year and I
3 am sure it is all a matter of record.

4 Q. This is what strikes me ---

5 MR. WILSON: I will have a witness, Mr.
6 Commissioner, following this witness, to tell
7 us what happened.

8 MR. HOGG: Q. McDermott and Feeley,
9 apparently, were not arrested until January
10 the 9th. My understanding is that this
11 additional evidence you told the Commissioner
12 about, that would be corroborative, was found
13 out long in advance of January 9th?

14 A. I can't say when, Mr. Hogg,
15 but certainly -- I don't know what Mr. Hall,
16 or whoever was over advising him, did; but
17 certainly the existence of it or the possible
18 existence of it would be, I suppose, recognized
19 when Scott made his reports, and it is
20 certainly my recollection, although there
21 is no particular reason for directing my
22 mind to it, Mr. Hogg, it was certainly my
23 recollection, it was my understanding, that
24 the telephone records, or some of them, were
25 obtained considerably before January 9th.
26 I am sorry, I can't say when, but it is a
27 matter of record. What led, on this line
28 of your questioning, Mr. Hogg, what led to
29 either the recognition or the decision of
30 Mr. Hall, or, now Judge Hall, or the enforcement



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1 officers, to lay the charge at that time
2 as opposed to earlier, is not within my
3 knowledge.

4 But undoubtedly, that corroborative
5 evidence was available some time before and,
6 undoubtedly, quite frankly, the fact that
7 there was that period of time between the
8 arrest of McDermott and Feeley, and the arrest
9 of Wright, was a point I anticipated would
10 be made at trial, and was made at the
11 trial on behalf of the accused.

12 Q. Between the preliminary and the
13 trial, on a number of occasions did you go
14 to the Attorney-General's Department to go
15 through this evidence and go through the
16 various things?

17 A. I can't say on a number of
18 occasions, Mr. Hogg. If, by that, you mean
19 more than a couple. I can recall -- I can
20 certainly recall two attendances between -
21 what would it be? The end of March, the
22 preliminary, and towards the end of May, the
23 trial.

24 Q. What about telephone calls?
25 Attendances by telephone?

26 A. There was a few. Not many, Mr.
27 Hogg.

28 Q. Now, there was evidence, there
29 was a statement in Mr. Wintermeyer's speech
30 on page 104. You find the reference in the



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1 first column, two telephone numbers, and then
2 at the top of or the very bottom, the last
3 paragraph on page 104:

4 "Mr. Speaker, Mr. Shrubb could

5 "have testified as to these

6 "phone calls at the trial of

7 "Feeley, McDermott and Wright,

8 "and he could have produced ---"

9 A. I am sorry, I have lost you.

10 Q. The last paragraph, first column.

11 A. Yes.

12 Q. "Mr. Speaker, Mr. Shrubb

13 "could have testified as to the

14 "phone calls at the trial of

15 "Feeley, McDermott and Wright,

16 "and he could have produced photo-

17 "static copies of the telephone

18 "toll slips to show that the phone

19 "calls took place. Such evidence

20 "would have gone a long way, I

21 "suggest, in proving the conspiracy

22 "in which Feeley, McDermott were

23 "charged."

24 Now, was that evidence that Mr. Winter-
25 meyer is mentioning, tendered at the trial?

26 A. It was -- no, it was not
27 tendered. And regardless of objections by
28 defence counsel, it was doubtful if the Crown
29 would have tendered that. I am afraid,
30 jumping into the bottom of page 104, I am not



1	THE FIRST PART OF THE HISTORY OF THE REFORMATION OF THE CHURCH OF ENGLAND
2	IN THE REIGN OF KING HENRY THE EIGHTH
3	BY
4	THE REV. JOHN CALVIN
5	OF STRASBURG
6	IN TWO VOLUMES
7	VOLUME THE FIRST
8	THE HISTORY OF THE REFORMATION OF THE CHURCH OF ENGLAND
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98	VOLUME THE FIRST
99	THE HISTORY OF THE REFORMATION OF THE CHURCH OF ENGLAND
100	IN THE REIGN OF KING HENRY THE EIGHTH



1 certain of the year. Was this 1954?

2 Q. 1958, I believe.

3 A. 1958, was it? I thought it
4 would have been earlier. No, that evidence
5 was not tendered, with great respect to Mr.
6 Wintermeyer. It is doubtful if the Court
7 would have admitted it, and with great respect
8 again to Mr. Wintermeyer, it was doubtful that
9 that would have assisted, if even had it
10 been relevant, in my opinion, would have
11 assisted the Crown in assisting on a charge
12 of conspiracy laid by the Crown against
13 Wright and Feeley. There are different
14 opinions in law and they very often differ.

15 THE COMMISSIONER: Q. Acts of one
16 conspirator are admissible against the other?

17 A. That is quite true. It is
18 most interesting and difficult law, as we
19 all know.

20 Q. That is the advantage in laying
21 a conspiracy charge.

22 A. That is one advantage. But
23 the reference Mr. Hogg is putting to me, are
24 references to phone calls to Reeves and
25 Councillors, and to the best of my knowledge
26 were not otherwise referred to.

27 MR. HOGG: Q. And then police
28 officials?

29 A. I was looking at the paragraph
30 immediately before you started, Mr. Hogg.



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1 Q. No, I am not referring to them.

2 THE COMMISSIONER: What are you
3 referring to? Mr. Wintermeyer says, "These
4 phone calls, and these phone calls". They
5 are the ones referred to in the earlier
6 paragraph.

7 MR. HOGG: I am referring to the ones
8 Constable Shrubbs had produced in the fourth
9 paragraph on page 104, column 1.

10 "Peterborough, RI.5-6310, with

11 "the toll slip noting the name

12 "Stringer."

13 A. What was the question, Mr. Hogg?

14 THE COMMISSIONER: Q. The question
15 was, were these toll slips introduced in
16 evidence?

17 A. No, the toll slips were not.

18 Now ---

19 THE COMMISSIONER: That answer his
20 question. Have you any other question?

21 MR. HOGG: Q. On May 3rd, Chief
22 Constable Shrubbs, did he attend at your office
23 in order to acquaint you with the evidence on
24 these matters we have been discussing?

25 A. That may very well have been the
26 date. It was between the preliminary and
27 the trial. It would be about that date.
28 I didn't have his brief at the preliminary,
29 which completed about the end of March, and
30 it was not for some time after that the trial



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1 commenced, towards the end of May. It
2 would be about the beginning of May he attended
3 with his diaries and brief and his evidence
4 was made available to me. I was aware, as
5 far as I know, substantially of all of his
6 records or the nature of them before the
7 trial. If that is intended to be your
8 question, Mr. Hogg. A good deal of his evidence,
9 of course, some of it, was considered relevant
10 by the Crown and some of it would not be
11 considered relevant and a good deal of it
12 was ruled inadmissible by the trial Judge.

13 Q. Was any of it tendered, sir?

14 THE COMMISSIONER: Q. Toll slips?

15 A. The toll slips were not tendered,
16 no.

17 MR. HOGG: Q. And that included a
18 call, I believe, to Wright from McDermott?

19 A. It is a matter of record, Mr.
20 Hogg. I am sorry, I can't recollect. Certainly
21 some, if I can answer you generally.

22 THE COMMISSIONER: Q. Whatever they
23 included, they weren't tendered in evidence?

24 A. Some was tendered, my lord.

25 Q. I thought you said the toll
26 slips ---

27 A. The toll slips, as such, no.

28 Q. That is what I am talking about.

29 A. No, the toll slips, as such, were
30 not.



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1 MR. HOGG: Q. Now, Mr. Ford, at the
2 conclusion of the trial I believe you made
3 the statement that the jury's verdict was
4 perverse. If that is so, could you explain
5 it?

6 THE COMMISSIONER: What do you mean?
7 Could he explain what?

8 MR. HOGG: What did he mean by "perverse"?

9 THE COMMISSIONER: If that is what
10 he said, I know what a perverse verdict means.
11 Are you asking him to tell me what a perverse
12 verdict means?

13 MR. HOGG: What led him to reach that
14 conclusion.

15 Q. Was there any additional
16 information the police or the authorities had
17 given you?

18 A. First, Mr. Hogg ---

19 THE COMMISSIONER: Additional to what?

20 MR. HOGG: To the information he had
21 up until the trial took place.

22 THE COMMISSIONER: A perverse verdict
23 doesn't depend on the information counsel may
24 have. It depends on the evidence that went in.
25 Now, are you asking him if it was his opinion
26 on the basis of the evidence that was submitted,
27 that the verdict was perverse?

28 MR. HOGG: Yes, I will put that question
29 to him, first.

30 THE WITNESS: That was my opinion. I

[illegible]



1 didn't say, Mr. Hogg, the verdict was perverse.
2 That is for a Court to find.

3 THE COMMISSIONER: Q. That was your
4 opinion?

5 A. That was my opinion, sir, because
6 it shocked me as being against the evidence,
7 etc.

8 MR. HOGG: Q. Did the police give you
9 any evidence that would bolster your view,
10 quite apart from what was tendered at the
11 trial?

12 THE COMMISSIONER: Don't answer that.
13 What difference would it make? He had the
14 view that the verdict was perverse. Now,
15 whether or not a verdict was perverse is
16 related to the evidence that was before the
17 tribunal, not something that was discovered
18 later, or was discovered earlier but not
19 submitted.

20 MR. HOGG: Q. Let me ask you this, if
21 I may, Mr. Commissioner. Did the police, at
22 a later time, have any information that
23 there was any tampering with the jury or anything
24 improper took place?

25 THE COMMISSIONER: Q. You thought there
26 was?

27 A. There was an investigation and
28 a report. No charges laid, it was dismissed.

29 MR. HOGG: Q. I notice in Exhibit 154,
30 and I have not had an opportunity to read this



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1 carefully at all, but you refer to affidavit
2 evidence.

3 A. This is, I take it, is my
4 written opinion advising against the appeal
5 proceeding on the other counts.

6 Q. Was there such an affidavit, Mr.
7 Ford?

8 A. What was the reference, Mr. Hogg?

9 THE COMMISSIONER: Show him the letter
10 so you will know what it is.

11 THE WITNESS: I know my report, but I
12 didn't follow the question.

13 MR. HOGG: Q. Page 2, Exhibit 154.

14 "Grounds 1 (the alleged error of
15 "the learned Trial Judge in permitting
16 "defense counsel to challenge jurors
17 "in a manner contrary to law) to
18 "a lesser extent is also dependent
19 "on the filing and acceptance by
20 "the Court of affidavit evidence as
21 "to irregularities in connection
22 "with the jury. The question
23 "of whether or not affidavit
24 "evidence ought to be tendered
25 "is, accordingly, of paramount
26 "importance."

27 Now, did you have in your possession,
28 or to your knowledge did the police have in
29 their possession, affidavits bearing on this
30 point?



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1 THE COMMISSIONER: On what point?

2 MR. HOGG: On the irregularities in
3 connection with the jury.

4 THE COMMISSIONER: Just a moment now.

5 MR. HOGG: Q. Let me show you this.

6 A. I am sorry, Mr. Hogg, I do have
7 my own copy in front of me.

8 THE COMMISSIONER: You read it to

9 yourself and I will read this to myself.

10 Frankly, I don't understand it. You explain

11 it to me and I may tell you why I can't

12 understand it.

13 "ground 1 (the alleged error of

14 "the learned Trial Judge in per-

15 "mitting defence counsel to challenge

16 "jurors in a manner contrary to law)"

17 That is ground 1?

18 A. Yes, sir.

19 Q. You say:

20 "to a lesser extent is also dependent

21 "on the filing and acceptance by the

22 "court of affidavit evidence as to

23 "irregularities in connection with

24 "the jury."

25 I don't know how it depended on that at

26 all.

27 A. With great respect, Mr. Commissioner --

28 Q. Would you explain that?

29 A. You would have to ready reasons.

30 Q. Counsel for the accused challenged



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1 certain jurors as they came forward to be
2 sworn.

3 A. Well, briefly, Mr. Commissioner,
4 counsel for the accused announced that they
5 intended to challenge the jurors for cause
6 without specifying any cause. And then
7 certain jurors, the practice having been
8 followed, were not challenged for cause, and
9 there was a reference to certain jurors in
10 my grounds.

11 Q. Counsel for the accused challenged
12 certain jurors. That is so?

13 A. Yes, practically all of them.

14 Q. All right. And you say the
15 learned trial Judge erred in permitting counsel
16 to challenge. That was a matter of law,
17 wasn't it?

18 A. Yes. This is a ground for
19 appeal. You realize I advised against this
20 appeal.

21 Q. Quite so. But that was a
22 matter of law?

23 A. Yes.

24 Q. Whether they proceeded to exercise
25 their rights within the limits of their rights
26 or not, it is for the trial Judge to decide.

27 A. Yes. I noted "to a lesser
28 extent". I think I was stating the highest,
29 but there were alleged improprieties with
30 reference to the jury and personnel on the jury.





1 Q. There may have been other
2 improprieties, as you say?

3 A. As alleged in other grounds of
4 appeal.

5 Q. I don't know that affidavit
6 evidence would be relevant in determining a
7 point of law.

8 A. The subsequent basis, Mr.
9 Commissioner, of this information having set
10 forth, in my opinion, other possible grounds
11 of appeal and nothing to support it. The
12 basis, finally, was that the information
13 available to me didn't support the filing of
14 an affidavit that I considered, as counsel,
15 was admissible on this appeal, and that without
16 it there wasn't sufficient.

17 Q. Again we are roaming quite
18 far afield. The question was, was there
19 affidavits? Is that your question?

20 MR. HOGG: Yes. There were seven
21 references, as far as page 5, to affidavit
22 material, the filing of affidavit material.

23 THE COMMISSIONER: As to what?

24 MR. HOGG: On page 1 in the last paragraph.
25 Page 2 in the first paragraph.

26 THE COMMISSIONER: Affidavits as to
27 what, Mr. Hogg?

28 MR. HOGG: I don't know, Mr. Commissioner.

29 THE COMMISSIONER: I haven't found
30 them yet.



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1 MR. HOGG: The last paragraph on page 1.
2 "found 3, that there were circumstances
3 "indicating that the jury was not
4 "impartial."

5 THE COMMISSIONER: Q. I suppose every
6 time a litigant or the Crown or the accused
7 loses a case before the jury, there is always
8 the suggestion that the jury was not impartial?

9 A. Not always by this counsel.

10 Q. Well, I have heard it frequently.

11 A. I have, too.

12 THE COMMISSIONER: "That the verdict
13 was perverse --".

14 MR. HOGG: Q. All through this, on
15 page 2 in the second paragraph. Page 3, in
16 the third paragraph. I don't know what he
17 means by that.

18 THE COMMISSIONER: I am just wondering.
19 We are going up a blind alley.

20 MR. HOGG: Q. Are there any affidavits
21 available in connection with this letter?

22 A. No, Mr. Hogg. When you have
23 an opportunity of reading that, I think you
24 will see set forth as to certain grounds of
25 appeal, certainly strenuously on ground 1.
26 On the others, it was advised these grounds
27 should not be proceeded with. And the
28 substance of that letter, in my opinion,
29 as indicated from the information available to
30 me, I wouldn't advise or tender such affidavits.



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1 I am just saying the information, in my opinion,
2 wouldn't support, in law, in my opinion, an
3 affidavit that the Court of Appeal would
4 accept.

5 Q. The last question.

6 A. Mr. Hogg, excuse me. I am not
7 in a position, but you asked me a moment ago
8 about back in the year before. I am not in
9 a position of saying that there were no
10 affidavits taken from any persons with
11 reference to this jury. I am only saying I
12 did not have affidavits, and the references
13 to affidavits there is merely saying I would
14 not advise it.

15 Q. Have you any knowledge of an
16 investigation into a Mr. Scott, that was made
17 on the instance of the Attorney-General's
18 Department, Mr. Eric Scott?

19 A. I know the circumstances. I
20 don't know too much about the investigation.
21 I know of some of them. I know the circumstances.

22 Q. Would you know who ordered
23 this investigation?

24 THE COMMISSIONER: Was it an
25 investigation of Eric Scott?

26 MR. HOGG: Q.. Was there an investigation
27 made, to your knowledge?

28 THE COMMISSIONER: An investigation of
29 Eric Scott?

30 THE WITNESS: I know there was some



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1 investigation made of him. I don't know
2 the scope of it, Mr. Hogg.

3 know who
4 MR. HOGG: Q. Do you, made it, or who
5 ordered it?

6 A. To the best of my knowledge, it
7 was ordered, I don't like to use the
8 expression "generally", but that is all I can
9 do, made by the Attorney-General's Department.

10 Q. Had you discussed this matter
11 with anyone in the Attorney-General's
12 Department?

13 A. The question of investigation?

14 Q. Yes.

15 A. I did not recommend any such
16 investigation, Mr. Hogg. Certainly I had
17 discussed Mr. Scott.

18 THE COMMISSIONER: Let us identify this
19 Mr. Scott. There are a number of Mr. Scotts.

20 MR. HOGG: Q. This was ---

21 A. He was the former junior officer.

22 THE COMMISSIONER: Q. He was your
23 junior at the time of the prosecution?

24 A. That is right, sir.

25 Q. And his name does appear?

26 A. That is right, until the 30th
27 of June, when he ceased to be with me.

28 MR. HOGG: Q. You say you didn't
29 recommend it. But my question was, were you
30 present at any time when this matter was
being discussed?



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1 A. When he was being discussed
2 or when the investigation of him was being
3 discussed?

4 Q. When a proposed investigation of
5 him was being discussed.

6 THE COMMISSIONER: In connection with
7 what?

8 MR. HOGG: Q. With his background or
9 anything in connection with him?

10 A. I don't so recall, Mr. Hogg,
11 being present at any such investigation or
12 any such conference in reference to an
13 investigation. I, frankly, wouldn't have
14 considered it necessary.

15 Q. Did you see the results of this
16 investigation?

17 A. You are referring to one inquiry,
18 I take it. I know of only one inquiry, and
19 I was informed of this.

20 THE COMMISSIONER: Q. One inquiry?

21 A. Yes, and that was ---

22 MR. HOGG: Q. Have you a copy of that?

23 A. No, I have not.

24 Q. Who showed it to you, sir?

25 A. I believe Chief Inspector Graham
26 either showed me or informed me of it.
27 Certainly the -- I don't wish any inferences
28 to be left by this. The inquiry about him
29 was negative. In other words, it was not
30 derogatory, the inquiry of which I have notice.



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1 Q. Was not derogatory. This was
2 a rather extensive investigation that went
3 even out of the country?

4 A. I know of only one inquiry that
5 was made, Mr. Hogg. I am the wrong person
6 to ask about the scope of the investigation.

7 Q. Didn't Inspector Graham tell
8 you who ordered it?

9 A. I don't like to rely on my
10 recollection of that, Mr. Hogg. You understand,
11 I don't like to use the expression "Attorney-
12 General's Department". There is no secret
13 about it.

14 THE COMMISSIONER: Inspector Graham is
15 here, and all this is doing is building up
16 some sort of a phantom. I don't know
17 whether there is any substance to it or not.
18 It isn't very satisfactory to leave it in
19 that condition. You introduced it.

20 MR. HOGG: Possibly, Mr. Commissioner,
21 if he would be good enough to talk to me after
22 and tell me what I want to know about it.
23 I want to know, if there has been an
24 investigation, and if so, who ordered it.

25 THE COMMISSIONER: There is an
26 investigation that somebody ordered of Mr.
27 Eric Scott, who was this witness's junior
28 during the prosecution. I don't know, as
29 to the investigation, as to what. This
30 witness says he knows of one inquiry and it



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I have been thinking of you very much lately. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you very much lately. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you.



1 was not derogatory to Scott.

2 MR. MOOG: I have no further questions.

3 THE COMMISSIONER: Have you any
4 questions?

5 MR. REID SCOTT: No, my lord.

6 THE COMMISSIONER: Mr. Rose is not
7 here. Any further questions?

8 MR. WILSON: No questions. Thank
9 you, Mr. Ford.

10
11 ---Witness withdrew.

12
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15
16 ---Short recess.

17
18
19
20 (Page 4990 follows)



1. The first part of the report is devoted to a general description of the project and its objectives.

2. The second part of the report is devoted to a detailed description of the methodology used in the study.

3. The third part of the report is devoted to a detailed description of the results of the study.

4. The fourth part of the report is devoted to a detailed description of the conclusions of the study.

5. The fifth part of the report is devoted to a detailed description of the recommendations of the study.

6. The sixth part of the report is devoted to a detailed description of the limitations of the study.

7. The seventh part of the report is devoted to a detailed description of the future work.

8. The eighth part of the report is devoted to a detailed description of the acknowledgments.

9. The ninth part of the report is devoted to a detailed description of the references.

10. The tenth part of the report is devoted to a detailed description of the appendices.

11. The eleventh part of the report is devoted to a detailed description of the glossary.

12. The twelfth part of the report is devoted to a detailed description of the index.

13. The thirteenth part of the report is devoted to a detailed description of the summary.



1 ---On resuming at 11:55 a.m.

2 MR. WILSON: Inspector Graham.

3 MR. SCOTT: Mr. Commissioner, if I
4 may say onyword to you before this next witness.
5 I want to make an application, Mr. Commissioner,
6 to have Mr. Eric Scott called before the
7 Commission. At the adjournment, from comments
8 heard here, it seems a completely erroneous
9 impression has been left nt to the newspaper
10 people here in connection with this person, arising
11 out of comments prior to the adjournment. There
12 may be some damage to him, and I would ask that
13 Mr. Scott be called to appear here.

14 THE COMMISSIONER: Well, we will see
15 how relevant his evidence may be. I didn't think
16 there was any damage done.

17 MR. SCOTT: I didn't think there was
18 any damage done, but from comments at the
19 adjournment, I became very concerned, both by
20 the newspaper people, and from one or two
21 things said to me, I felt that there was very
22 severe damage, with severe implications which
23 might be cast on his name.

24 THE COMMISSIONER: I didn't think
25 there was any implication against him. The
26 evidence was not derogatory about him.

27 MR. SCOTT: I just want to make the
28 observation, because I think I became very
29 concerned after the adjournment.
30





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1 THE COMMISSIONER: All right.

2 MR. WILSON: Chief Inspector Graham.

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9 HAROLD HOPKINS GRAHAM, recalled:

10
11 EXAMINED BY MR. WILSON:

12
13 Q. I think, in your previous
14 evidence, you have told us that you were the man
15 who obtained the information, and arranged for
16 the arrest of R.J.Wright?

17 A. Yes sir, on May 27th, 1960.

18 THE COMMISSIONER: That is when you
19 arrested him, May the 28th, but you obtained
20 and swore the information - - -

21 A. We obtained the warrant on the
22 previous day.

23 THE COMMISSIONER: There wasn't a warrant
24 without an information?

25 A. No sir.

26 MR. WILSON: This is a photostat of the
27 information that you speak of, dated the 27th of
28 May, 1960?

29 A. Yes sir.
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1 MR. WILSON: Would you like that
2 filed, Mr. Commissioner?

3 THE COMMISSIONER: What does it show.

4 MR. WILSON: The charge was: "That
5 at the Municipality of Metropolitan Toronto,
6 in the County of York, during the month of
7 February, March and April, 1960, unlawfully
8 did, being a peace officer, obtain money for
9 himself with intent to interfere with the
10 administration of justice."

11 A. Now there was an amending
12 information - - -

13 THE COMMISSIONER: Now, what's on that
14 information. He was arrested?

15 A. That's right.

16 MR. WILSON: Q. And then after his
17 arrest, there was a further information dated the
18 6th of June, 1960, which was a little more
19 elaborate. It may be that I will just file
20 that as A and B.

21 THE COMMISSIONER: What was the charge
22 on the second one?

23 MR. WILSON: Well, the second one
24 is: "Did at the Municipality of Metropolitan
25 Toronto, in the County of York, during
26 the months of February, March, and
27 April, 1960, unlawfully did, being
28 a peace officer, obtain money for
29 himself with intent to interfere with
30 the administration of justice,



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1 "contrary to Section 101a of the
2 "Criminal Code, and further, that
3 "at the Municipality of Metropolitan
4 "Toronto, in the County of York,
5 "on or about the 29th day of February,
6 "1960, Robert J.Wright, gave to
7 "Constable George Scott, a peace
8 "officer of the Ontario Provincial
9 "Police Force, four hundred dollars in
10 "money, with intent that the said
11 "George Scott should interfere with
12 "the administration of justice,
13 "contrary to Section 101 (b) of
14 "the Criminal Code."

15 MR. WILSON: And then it goes on to
16 deal with two further items of two hundred and
17 four hundred dollars respectively.

18 THE COMMISSIONER: There was no charge
19 of conspiracy?

20 MR. WILSON: No.

21 THE COMMISSIONER: Well, the first
22 information is May 27th and the second one was
23 when?

24 MR. WILSON: June 6th, 1960.

25 Exhibit 155, A and B.

26
27 ---EXHIBIT 155 A : Information dated
28 May 27th, 1960.

29 ---EXHIBIT NO. 155 B: Information dated
30 June 6th, 1960.





1
2 MR WILSON: Q. Following the arrest of
3 Wright, you carried out further investigations?

4 A. Yes, sir.

5 Q. And in connection with those
6 investigations, did you have conferences with,
7 and advice from the Crown Counsel?

8 A. Yes sir.

9 Q. Who were the Crown Counsel,
10 and who was advising you in connection with
11 the further investigation you had undertaken?

12 A. The first counsel we had
13 advice from, was Mr. Pepper.

14 Q. Mr. Elliott Pepper?

15 A. Yes.

16 Q. In the Attorney General's
17 Department?

18 A. Yes sir.

19 Q. Now just tell us what his part
20 in this matter was?

21 A. I went to Mr. Pepper in July
22 of 1960, and sought advice regarding the laying
23 of charges against Feeley, Reid and Lafrade,
24 in Toronto Township, of keeping a common gaming
25 house.

26 Q. Yes.

27 A. I discussed the evidence with
28 him briefly. He thought there was ample evidence
29 on which charges should be laid, and instructed
30 me to see Mr. Metcalfe, the Crown Attorney of
Peel County.



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1 Q. And then as a result of your
2 meeting with Mr. Metcalfe, what action was taken?

3 A. As a result of that meeting,
4 charges of keeping a common gaming house were
5 laid by Provincial Constable Moore of the Anti-
6 Gambling Squad, against Feeley, McDermott and
7 Angelo Lafrade, and George Reid.

8 Q. As I understand it, that was
9 done on September the 6th, 1960?

10 A. No, the first charge was laid
11 on August 16th, 1960, but identical charges were
12 laid in September.

13 Q. Oh I see, and then were charges
14 - in respect to the gaming charges which were
15 referred to, the carrying on of a common gaming
16 house at the Veterans' Club, Cooksville?

17 A. Yes sir.

18 Q. Now was that the extent of your
19 advice and direction from Mr. Elliott Pepper?

20 A. Yes sir.

21 Q. Then in the course - in the
22 course of your investigation of this matter,
23 following right after the arrest we have referred
24 and we have heard about, telephone calls and
25 information about telephone calls being obtained?

26 A. Yes sir.

27 Q. Where was that information
28 obtained, and what was the nature of it?

29 A. Most of the information was
30 obtained in Montreal, from the records of the



Q. And now on a matter of fact

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Q. As a result of that meeting

A.

Q. The purpose of having a meeting at that time was to discuss the possibility of having a meeting at that time. The purpose of that meeting was to discuss the possibility of having a meeting at that time. The purpose of that meeting was to discuss the possibility of having a meeting at that time.

Q. And I understand that that was

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Q. And the first meeting was held

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Q. On August 1st, 1960, that is the first meeting was held on August 1st, 1960, that is the first meeting was held on August 1st, 1960, that is the first meeting was held on August 1st, 1960.

Q. On 1st, 1960, and then there was a meeting

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Q. In regard to the meeting which was held on August 1st, 1960, the meeting was held on August 1st, 1960, the meeting was held on August 1st, 1960, the meeting was held on August 1st, 1960.

Q. Yes sir.

A.

Q. Now was there any other of your

A.

Q. Meeting and discussion from the 1st of August, 1960, to the 1st of September, 1960, was there any other meeting or discussion?

Q. Yes sir.

A.

Q. During that time, was there any other meeting or discussion? During that time, was there any other meeting or discussion? During that time, was there any other meeting or discussion? During that time, was there any other meeting or discussion?

Q. Yes sir.

A.

Q. And was there any other meeting or discussion? And was there any other meeting or discussion? And was there any other meeting or discussion? And was there any other meeting or discussion?

Q. Yes sir.

A.



1 Bell Telephone Company.

2 Q. And who did that work?

3 A. Inspector Devereux.

4 Q. And was that a simple operation,
5 or a lengthy operation?

6 A. It was a lengthy operation
7 involving the search of thousands of Bell
8 Telephone long distance toll slips.

9 Q. And that was done at approximately
10 what time?

11 A. That was done in June.

12 Q. Of 1960?

13 A. Yes sir.

14 Q. Then there has been some query
15 about why some conspiracy charge hadn't been
16 laid again against Wright and McDermott and Feeley
17 at an earlier time. What was the story about
18 the final laying of such a charge.

19 A. Well, in September, Mr. Metcalfe,
20 the Crown Attorney for Peel, advised me that he
21 would seek to disqualify himself from prosecuting
22 the gaming house charges, as he - -

23 Q. As he had - - yes, go ahead.
24 Give the reasons for his action.

25 A. He had previously been a
26 member of the Gogek law firm, and Gogek was a
27 key witness in the prosecution.

28 Q. What did you do as a result
29 of that stand on his part?

30 A. I didn't do anything. I waited





1 instructions as to whom the new prosecutor
2 would be, and I was advised that it would be
3 Mr. Alec Hall who was then the Crown Attorney
4 for the County of Ontario.

5 Q. Well, Mr. Hall was, or had
6 at that time been a Crown Attorney for a
7 considerable number of years?

8 A. Yes sir.

9 Q. And he had also considerable
10 experience outside of his own area?

11 A. Yes sir.

12 Q. And then following this
13 appointment, did you meet with him and confirm
14 with him?

15 A. Yes sir, I did on November
16 the 7th.

17 Q. Did you place before him all the
18 facts that you had gathered together as a result
19 of the further investigations?

20 A. Yes sir, I did.

21 Q. And what decision did he make
22 at that time?

23 A. He said that it appeared to him,
24 that to successfully prosecute McDermott on a
25 gaming house charge, it would be necessary to
26 prove that telephone calls were made by McDermott
27 to Scott, and by Wright to McDermott, and therefore
28 it was - there was a case in his opinion of
29 charging of McDermott and Feeley and Wright
30 with conspiring to interfere with the administration



Investigation as to what the man possessed

would be, and I was advised that he was in

Dr. Alice Hall and was with the Green Company

for the purpose of selling.

Q. Well, Mr. Hall, was he seen

on that date at a hotel in New York?

A. I am unable to say.

Q. You are not sure?

A. And he had also been in New York

on the date of the murder?

A. I am not sure.

Q. And you did not see him

on the date of the murder?

A. I am not sure.

Q. Well, I did not see him

on that date?

A. I am not sure.

Q. Did you know anyone who was in

on the date of the murder?

A. I am not sure.

Q. And you did not see him

on that date?

A. I am not sure.

Q. Did you know anyone who was in

on the date of the murder?

A. I am not sure.

Q. And you did not see him

on that date?

A. I am not sure.



1 of justice.

2 Q. Now is that the first time
3 you had conversed with any Crown officer in
4 regard to a possible charge of conspiracy
5 against the three of them?

6 A. That is the first time it was
7 discussed in detail, yes.

8 Q. Well, had there been any
9 discussion between yourself and anyone in the
10 Attorney General's Department?

11 A. No sir.

12 Q. In regard to the matter,
13 or if there had been any prior discussion it would
14 have been with Metcalfe?

15 A. Yes sir.

16 Q. And prior to November, when
17 you met Mr. Hall, what disposition, or what
18 was the status of this original charge against
19 Wright upon which he was arrested on May 28th,
20 1960?

21 A. Wright had been committed, or
22 had -- yes, he had been committed for trial,
23 and a true bill had been found against him on
24 the four counts in September, 1960.

25 Q. And then what was the final
26 disposition of those four counts?

27 A. They were nolle prose.

28 THE COMMISSIONER: Approximately what
29 date?

30 MR. WILSON: September 12th, 1960.

[illegible]



1 THE COMMISSIONER: Thank you.

2 THE WITNESS: I am not certain of the
3 date Mr. Bowman advised me that he was - - -

4 MR. WILSON: That particular charge
5 was under the control of Mr. Bull, the Crown
6 Attorney for North York?

7 A. He was the prosecutor of that
8 you.

9 Q. Now was there some difference
10 of opinion between Crown counsels as to how
11 these charges should be laid and proceeded with?

12 A. Well, there were several -
13 there were some discussions between them, and
14 I think eventually everyone was agreed that they
15 should be proceeded with, as they finally were.

16 Q. Then following your meeting
17 with Mr. Alec Hall, as he was then, in November,
18 did you have a further conference in the Attorney
19 General's Department?

20 A. Yes sir, I did, in December.

21 Q. And who were present at that
22 meeting?

23 A. Mr. Common for part of the
24 meeting and Mr. Bowman, Mr. Bull, Mr. Hall and
25 myself.

26 Q. And what decisions were
27 arrived at at that meeting?

28 A. It was tentatively agreed
29 that McDermott, Feeley and Wright should be
30 charged with conspiring to interfere with



10000



1 the administration of justice, by corruptively
2 giving money to George Scott.

3 Q. Following which the various
4 counts were incorporated and the informations
5 were drawn up by whom?

6 A. By myself. Well, the draft
7 was drawn up by Mr. Hall, and given to me,
8 and I typed up an information.

9 Q. And this is a copy of the
10 information which is dated January 9th, 1961?

11 A. Yes sir.

12 MR. WILSON: That will be Exhibit 156.

13
14 ---EXHIBIT NO. 156: Information dated
January 9th, 1961.

15
16 MR. WILSON: Q. Now is there any -
17 as far as any lapse of time between May 28th
18 and January the 9th, May 28th, 1960, when
19 Wright was arrested on January 9, 1961, was
20 it brought about by the act of anyone suggesting
21 that there y/ should be a delay?

22 A. No sir. No one ever suggested
23 to me that it should be delayed.

24 Q. So that the matter proceeded
25 in a normal way, and that was the chronology
26 of the events?

27 A. Yes sir.

28 Q. Then Mr. Alec Hall became
29 a County Court judge - -

30 A. For the County of Ontario,
yes.



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1 THE COMMISSIONER: When was he appointed?

2 MR. WILSON: That happened in - - well,
3 do you know?

4 A. I think it was February of
5 1961.

6 MR. WILSON: Q. I think we have heard
7 that shortly after that, Mr. Ford was appointed
8 in his place as Crown prosecutor?

9 A. Yes sir.

10 MR. WILSON: That's all, thank you.

11 THE COMMISSIONER: Any questions?

12 MR. HOGG: Yes sir.

13
14
15
16 EXAMINED BY MR. HOGG:

17
18 Q. Inspector, you were brought
19 into this investigation of this case, just a
20 few days prior to the arrest of Constable Wright?

21 A. Yes sir.

22 Q. You had, sir, perhaps I can
23 put it this way, you did not have the charge,
24 or the carriage of the investigation that
25 Scott was carrying out over this period of four
26 months?

27 A. No, sir, I did not.

28 Q. And after Wright's arrest,
29 you carried out a most ~~xxx~~ intensive and
30 ~~xxx~~ thorough investigation?





1 A. Yes sir, I think so.

2 Q. Now Mr. Ford, I believe you were
3 in Court, and Mr. Ford referred to some telephone
4 calls and investigation of some telephone calls,
5 that in his opinion corroborated the evidence
6 of Constable Scott?

7 A. Yes sir, that's quite right.

8 Q. In other words, these telephone
9 calls would tend to show that Scott's evidence
10 was accurate?

11 A. Yes sir.

12 Q. Now when was that investigation
13 made, Inspector?

14 A. Well, that investigation started
15 around the 1st of June, and Inspector Devereux
16 received or seized many long distance records
17 in Montreal, and Sergeant Anderson and Constable
18 Moore seized many records here, and we were
19 engaged during the whole summer, actually, in
20 correlating all this material, and a big brief
21 was prepared to show the significance of all
22 the telephone calls, and how they could be -
23 how they tended to establish evidence against
24 these accused.

25 Q. Scott's report indicated he had
26 been talking to Wright and to McDermott, and there
27 was an inference there that perhaps McDermott
28 had talked to Wright and so this search was made
29 to substantiate both of those facts?

30 A. Yes sir.



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1 Q. And that material was in
2 your hands at what time. What date approximately?

3 A. Well, the material was in
4 our hands in June, and perhaps some of it was
5 in July, but to properly - to have it properly
6 sorted out so that people could understand
7 its relevance and significance, it was about
8 the end of August before it was done.

9 Q. You had acquired this
10 information within a month or so, and assimilated
11 it, and put it in the form of a brief or report
12 by the end of August?

13 A. Yes, about that.

14 Q. And yet McDermott was not
15 arrested until January, the following January?

16 A. Well, he was arrested in
17 September - -

18 Q. I am not talking about the
19 gaming house case, I am talking about the
20 conspiracy?

21 A. Yes, sir, January 10th, '61
22 when he was arrested.

23 Q. Do you know why there was this
24 ^{over} delay, or this period?

25 A. Well, there - - -

26 Q. Five months - -

27 A. As I mentioned, a Mr. Metcalfe
28 had sought to disqualify himself, and
29 was disqualified, and there was some delay
30 in appointing a substitute for him. By the



Q. Now, what is the first thing you saw?

A. I saw a man in a suit and tie, and he was walking towards me.

Q. What time was it?

A. It was about 10:30 or 11:00, I don't know exactly.

Q. Did you see anyone else?

A. Yes, I saw a woman in a dress, and she was walking away from me.

Q. What was the woman wearing?

A. She was wearing a dark dress, and she had dark hair.

Q. Did you see any other people?

A. No, I didn't see any other people.

Q. Did you see any cars or trucks?

A. No, I didn't see any cars or trucks.

Q. Did you see any buildings?

A. Yes, I saw a building in the background.

Q. What was the building like?

A. It was a two-story building, and it had a flat roof.

Q. Did you see any other buildings?

A. No, I didn't see any other buildings.

Q. Did you see any trees or bushes?

A. Yes, I saw some trees and bushes.

Q. Did you see any other things?

A. No, I didn't see any other things.

Q. Did you see any people or things that you didn't mention?

A. No, I didn't see anything else.

Q. Did you see any people or things that you didn't mention?

A. No, I didn't see anything else.

Q. Did you see any people or things that you didn't mention?

A. No, I didn't see anything else.

Q. Did you see any people or things that you didn't mention?

A. No, I didn't see anything else.

Q. Did you see any people or things that you didn't mention?



1 time Mr. Hall had digested everything - it
2 was a further delay.

3 Q. I am not referring just to the
4 gaming house charge. When you say Mr. Metcalfe
5 was disqualifying himself - - -

6 A. That's right.

7 Q. That just referred to the
8 gaming house charge.

9 A. Well, he had knowledge of more -
10 more evidence than gaming house.

11 Q. Now to your knowledge the day
12 or the day after, perhaps the day after, within
13 two or three days of Wright's arrest, Mr. Roberts,
14 the Attorney General, did he make a public
15 statement that he was taking personal direction
16 of this case?

17 A. I have no knowledge about
18 that, sir.

19 Q. When you were placed in
20 charge of the case, what law officials were you
21 directed to consult?

22 A. First of all, it was Mr. Bull.

23 Q. And as a result of those
24 discussions with Mr. Bull, what charges were laid?

25 A. The four counts, I believe
26 on June 6th - -

27 Q. That is June. And then how
28 long was he being consulted or charged with the
29 case from the prosecution point of view?

30 A. Well, he was in charge of



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AND IS NOT A POLICE DEPARTMENT

1. I am not responsible for the

actions of my agents. When they act, they act

as individuals and not as agents.

2. I am not responsible for the

actions of my agents. When they act, they act

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9. I am not responsible for the

actions of my agents.

10. I am not responsible for the

actions of my agents. When they act, they act

as individuals and not as agents.

11. I am not responsible for the



1 this case and consulted until a true bill was
2 found.

3 Q. Until a true bill was found.
4 Who took that to the Grand Jury?

5 A. Mr. Bull did.

6 Q. Now in the meantime, were you
7 consulting with anyone else, any other legal
8 people?

9 A. Crown officials.

10 Q. Yes?

11 A. Just Mr. Pepper on one
12 occasion./

13 Q. Then Mr. Bull was replaced
14 by Mr. Hall?

15 A. Yes sir.

16 Q. And then he was appointed a
17 judge and Mr. Ford - - -

18 A. Yes sir.

19 Q. Well, who was in ~~the~~ charge of
20 the case from the prosecution point of view,
21 when the evidence concerning the telephone calls
22 had been obtained and summarized?

23 A. Mr. Metcalfe

24 Q. When did Mr. Hall come into
25 the matter?

26 A. November of 1960.

27 Q. When did Mr. Hall inform you
28 that he would no longer be able to act?

29 A. I don't believe he ever
30 officially informed me. I was at Walkerton at

[illegible]



1 the preliminary hearing at a much earlier part
2 of the month when Mr. Ford was - - notified me
3 that he was.

4 Q. I believe there is a note in
5 your diary on December 14th, 1960:

6 "Crown Attorney Hall advised me

7 "~~relining~~, "

8 MR. HOGG: It says relining, but it
9 must be declining of gaming bribery cases.

10 A. What date?

11 Q. December 14th.

12 A. December 14th?

13 Q. 1960.

14 A. No, its not declining, its
15 relining, relining of the gaming and bribery
16 cases.

17 Q. Relining?

18 A. Relining information.

19 Q. I am not familiar with the
20 expression.

21 A. That's what he used himself.

22 Q. What does that mean?

23 A. Well, setting up a new
24 information.

25 THE COMMISSIONER: Redrafting it, I
26 suppose?

27 A. Yes sir. One important
28 word was left out of that other one, the word
29 corrupted.

30 MR. HOGG: Q. Its my understanding,



As a result of the above, the following is the proposed solution:



1 Inspector, that someone else was making decisions
2 as to when - somebody else other than yourself -
3 as to when Mr. McDermott and Feeley should be
4 arrested?

5 A. Yes sir.

6 Q. And at any time, prior to
7 their arrest, did you orally, or on a written
8 form suggest that they be arrested because as
9 time went on they could cover their tracks?

10 THE COMMISSIONER: What was that?

11 MR. HOGG: That was a double-barrelled
12 question.

13 Q. Did you ever suggest orally
14 or in writing, prior to the 10th of January,
15 1961, that McDermott and Feeley should be
16 arrested?

17 A. I had many - - it wasn't for
18 me to suggest whether they should be or not. I
19 had many discussions with them, bringing facts
20 to the Crown counsel concerned.

21 Q. Well, you are a senior and
22 an experienced officer, and you could express
23 your opinion to the prosecution counsel.
24 Did you ever do so?

25 A. I have asked - I don't know
26 as I have - I can't recall. It was my - that
27 was my opinion, whether I said it or not, I
28 don't recall.

29 Q. According to your diary you
30



[The page contains extremely faint, illegible text.]



1 presented Shrubb's information to Mr. Ford on
2 May 3rd, 1961. Was this matter discussed, of
3 Shrubb's information, and all the slips he had
4 received, was that discussed prior to the trial?

5 A. With Mr. Ford, yes it was.

6 Q. Was it decided that that
7 information would be put forth as evidence?

8 THE COMMISSIONER: That was left with
9 Mr. Ford?

10 A. Yes, sir, as he said this
11 morning he took full responsibility in deciding
12 what evidence he thought was relevant and what
13 was not.

14 MR. HOGG: Q. And that was a matter
15 he was going to decide on his own?

16 A. Yes.

17 Q. About the investigation into
18 the background of Mr. Scott, were you directed
19 to make such an investigation?

20 A. Yes sir.

21 Q. By whom, sir?

22 A. By the Attorney General.

23 Q. And what date were you directed -
24 were you so directed?

25 A. It was about July of 1961,
26 July or August.

27 MR. HOGG: I wonder, Mr. Commissioner,
28 whether a copy of that report could be made
29 available to me.

30 THE COMMISSIONER: Made available to you,





1 yes.

2 MR. HOGG: Yes.

3 MR. WILSON: Mr. Commissioner, I fail
4 to see what this has to do with ^{the} terms of reference.

5 THE COMMISSIONER: I don't know what it
6 has either, but it shouldn't be said later or
7 suggested - - -

8 MR. HOGG: Q. Were you told why an
9 investigation was to be made?

10 A. I beg your pardon?

11 Q. Were you told why an investigation
12 was to be made?

13 A. No, I was just instructed to
14 secure the background of Mr. Scott.

15 MR. HOGG: That's all the questions
16 I have. If I have an opportunity to see that
17 report and there appears to be something, perhaps
18 this witness could be recalled. I don't want
19 to pursue the matter any further at this time.

20 THE COMMISSIONER: All right. & Any
21 questions?

22 MR. REID: No.

23 THE COMMISSIONER: Mr. Rose?

24 MR. ROSE: No questions/

25 MR. WILSON: No questions, thank you.

26 ---The witness retired.

27
28
29 MR. WILSON: Call Chief Constable
30 Johnson.



1887



HOWARD
CHIEF CONSTABLE D. JOHNSON, sworn:

EXAMINED BY MR. WILSON:

Q. You are the Chief Constable
for Bertie Township?

A. That's right, sir.

Q. And you have been -- held that
position since January 1st, 1958, is it, or '9?

A. '58, the Department was
formed.

Q. That's right, January 1st, '58.

A. I was actually sworn in on
December 12th, 1957.

Q. And prior to that time, you
had had police experience with both the R.C.M.P.
and the Niagara Falls Police Department?

A. That is right, sir.

Q. Now the Frontier Club, of
course, is situated in Bertie Township?

A. Yes, that's right.

Q. And after your appointment,
your Township Police Force took over the
~~2212~~ policing of the Township from the Provincial
Force, which up to that time had been looking
after it?

A. That is right, sir.

Q. Then after January the 1st,
'58, the Anti-Gambling Branch of the O.P.F.



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MEMORANDUM FOR THE DIRECTOR

Re: [illegible]

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

7. [illegible]

8. [illegible]

9. [illegible]

10. [illegible]

11. [illegible]

12. [illegible]

13. [illegible]

14. [illegible]

15. [illegible]

16. [illegible]

17. [illegible]

18. [illegible]

19. [illegible]

20. [illegible]

21. [illegible]

22. [illegible]

23. [illegible]

24. [illegible]



1 did in fact cooperate with you, and as I
2 understand it - - -

3 A. Yes, they did.

4 Q. So far as the Frontier Club
5 is concerned, you acted on your own discretion
6 and on the advice of your police commission?

7 A. That is right, sir.

8 Q. On the evidence to date, you
9 certainly carried out quite a number of raids
10 on the club during the period from January
11 through until the time in July, as I recall, or
12 was that when it went out of business?

13 A. June the 27th, of 1958, was
14 the last ~~xxx~~ raid that the members of my department
15 made on the club.

16 THE COMMISSIONER: June 27th?

17 A. June the 27th, 1958.

18 THE COMMISSIONER: About that time they
19 went out of business?

20 A. I don't know the exact date
21 they moved out - but it was shortly after that.

22 MR. WILSON: Q. And during that period
23 from January 1st, '58 to the end of June or
24 early July, whichever is the right date for the
25 termination of their activities, how many raids
26 did your force make ~~x~~ on the premises of the
27 Club?

28 A. Fifty-nine.

29 THE COMMISSIONER: Between January 1st
30 and June 27th. The first raid was on - - -

D/4

[illegible]



1 A. No, no, I said between
2 January 1st, and June 27th.

3 THE COMMISSIONER: You made how many?

4 A. 59. The first raid was on
5 January the 4th, I believe, in the early
6 morning of January the 4th.

7 MR. WILSON: After your appointment,
8 or knowledge of your appointment was made
9 known to this post of Chief of Police of
10 Bertie, were you approached by anyone in
11 regard to operations of the Frontier Club?

12 A. I was still living in Niagara
13 Falls, Ontario, for - I believe it was the
14 end of March I moved up to Ridgeway Ontario.
15 But in December, shortly after my appointment,
16 a man came to my house on Saturday afternoon
17 in Niagara Falls. He rapped on the door and
18 ~~asked~~ asked if I was Chief Johnson, and I replied
19 in the affirmative, and he asked to come in,
20 and I invited him in, and he asked if there was - -
21 what my actions were going to be in connection
22 with the clubs. I informed him that if there
23 was evidence of illegal gambling, we would
24 no doubt raid it. He asked if I could be
25 persuaded not to raid it. At this point I
26 asked him what his name was and who he was
27 and who he represented, and he declined to
28 tell me, so I got up and opened the door
29 and asked him to leave, suggested to him that
30 our discussion was through.



ST. LOUIS, MO.,

THE ST. LOUIS POST-DEMOCRAT,

THURSDAY, MAY 1, 1902.

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THURSDAY, MAY 1, 1902.

THE ST. LOUIS POST-DEMOCRAT,

THURSDAY, MAY 1, 1902.



D.H.Johnson

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1
2 MR. WILSON: Q. Do you know who
that person was?

3 A. No, I do not.

4 Q. Had you ever seen him before
5 or after. Have you seen him since then?

6 A. No, I have not sir.

7 MR. WILSON: Now did you have any
8 other approaches about - - -

9 THE COMMISSIONER: Just a moment now.

10
11
12
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14
15
16 (Page 5020 follows)
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1. The first part of the report is a general introduction to the project. It describes the purpose of the study and the objectives that were set at the beginning. This section also includes a brief overview of the methodology that was used to collect and analyze the data.

2. The second part of the report is a detailed description of the data that was collected. This section includes a table of the data and a description of each of the variables that were measured. It also includes a description of the methods that were used to collect the data and a discussion of the limitations of the data.

3. The third part of the report is a description of the results of the study. This section includes a table of the results and a description of each of the findings. It also includes a discussion of the implications of the findings and a conclusion that summarizes the main points of the study.

4. The fourth part of the report is a discussion of the limitations of the study. This section includes a description of the limitations of the data and the methods that were used to collect and analyze the data. It also includes a discussion of the limitations of the conclusions that were drawn from the study.

5. The fifth part of the report is a conclusion that summarizes the main points of the study. It includes a description of the purpose of the study, the objectives that were set, the methodology that was used, the results of the study, and the limitations of the study.

Page 2 of 2

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Q. After January 1st, 1958, did you have any further approaches by anyone, purporting to represent the Frontier Club?

A. I believe it was February 13th, 1958, as a result of some correspondence with the secretary of our Police Commission, Mr. Humphreys (sic) attended the Police Commission meeting, in the police building, and he complained of the frequency of the raids and the manner that they were being carried out.

Q. Who accompanied him on that occasion?

A. Mr. Ross. He was listed at that time as the club steward.

Q. Was there any other person with Mr. Ross and Humphrey?

THE COMMISSIONER: Do not go too quickly, please.

MR. WILSON: I am sorry.

THE COMMISSIONER: Yes.

MR. WILSON: Q. Was there any other person with Mr. Ross and Mr. Humphrey when they came to that meeting?

A. There was a third man came up the stairs to the Police Commission meeting, just briefly entered the room and immediately turned and rushed down the stairs again, and I would not like to say who he was.

Q. What kind of car had this group,



Q. Now, would you tell me, did you
know the person who was with you at the time

you were in the room with the person who

A. I believe it was January 1968.

1968, as a result of some correspondence

with the Attorney General's office.

Mr. Humphrey (sic) attended the police

Commission meeting, in the police building,

and he complained of the frequency of the

calls and the manner that they were being

made.

Q. Who accompanied him on that

occasion?

A. Mr. Hays, he was there at

that time as the chief counsel.

Q. Did you see him at that time?

A. Yes, but I don't

remember the date of that meeting.

Q. Please.

A. I am sorry.

Q. The date of that meeting.

A. I don't know the date.

Q. Now, did you see Mr. Hays and Mr. Humphrey

any time to that meeting?

A. There was a time when I

was taken to the police Commission meeting.

Just before that time, and I don't remember

the date of that meeting.

I would not like to say who he was.

Q. What kind of car was that?



1 or these people? What did they come in?

2 Do you recall?

3 A. I did not see the car on that
4 occasion. That was at night; the Police
5 Commission meeting was in the evening at
6 that time.

7 Q. What decision did the Commission
8 make, in response to Mr. Humphrey's
9 representations?

10 A. I think as a result of his
11 visit, it was suggested it might be necessary
12 to get an injunction against the police.

13 THE COMMISSIONER: Q. Who suggested that?

14 A. Mr. Humphrey. There were
15 orders issued by the Commission to suspend
16 the raids on the club temporarily. I think
17 a visit was made by the Judge on my Police
18 Commission, to the Attorney-General's
19 Department.

20 MR. WILSON: Q. To suspend the raids?

21 A. They asked me to suspend the
22 raids temporarily.

23 Q. Yes?

24 A. I think they had received
25 some advice from the Attorney-General's
26 Department.

27 Q. How long did that last?

28 A. The next Police Commission meeting
29 was in early March and we were then instructed
30 to carry on with the raids. It was approximately



on these people? What did they come for?

no one knows?

A. I don't see how you can find

nothing. That was an impossible thing.

Commissioner meeting was in the evening at

that time.

What was the purpose of the meeting?

None, in response to Mr. Murphy's

representation.

A. I think it is a matter of fact

that, if you happened to be in the

to get an information against the police.

THE CHIEF OF POLICE, who had asked that

A. Mr. Murphy, when was

orders issued by the Commission for

the police on the day of the meeting. I think

a visit was made by the Chief of Police

Commission, to the Attorney-General's

Department.

Mr. Murphy, if he wanted to know

A. They would go to the Chief of

Police Department.

A. Yes?

Yes, I think that was the

case arose from the Attorney-General's

Department.

A. The day after that

A. The day after that

was the day after that

was the day after that

was the day after that



1 one month that the raids were not carried out.

2 Q. Now, did you know a man who
3 has given evidence here? An Arthur Jolley?

4 A. Yes, I do.

5 Q. Have you known him for some
6 time, or in 1958 had you known him for some
7 time?

8 A. Yes, I have known Mr. Jolley
9 since 1946.

10 Q. And sometime in 1958 did you
11 have a telephone call from him? A long
12 distance call, in regard to a possible
13 appointment for one Joseph McDermott?

14 A. Yes, I did.

15 Q. Can you give us the approximate
16 date of that call?

17 A. It would be late in the spring;
18 I have not the date of it. It would be
19 late in the spring. It was not too long
20 after they moved out. Mr. Jolley called me,
21 and I have no idea -- I believe he was in
22 Toronto. I believe Mr. Jolley was intoxicated
23 at the time he called me. He was very
24 incoherent.

25 THE COMMISSIONER: Q. Very what?

26 A. Very incoherent, and muttering
27 and stumbling over his speech. And he
28 talked about the club and said a friend of
29 his, or an acquaintance of his wa_nted to see
30 me about the club.



99 159



1 I advised him at that time that I
2 had nothing I wished to discuss with Mr.
3 McDermott about the club, and if he had
4 any complaints, that he should take them to
5 the Police Commission. However, I did
6 later agree to see Mr. McDermott.

7 MR. WILSON: Well ---

8 THE COMMISSIONER: Just a moment.

9 Q. Was it during this telephone
10 conversation that you agreed to see McDermott?

11 A. Yes, it was.

12 Q. How did that come about ---

13 A. Yes, it was. As I recollect
14 it, Mr. Jolley asked me at that time to call
15 him back that night. That was in the late
16 afternoon when he called me. He gave me
17 a room number at the Royal York Hotel. I
18 do not recall the room number. I made no
19 call, no return call to him.

20 Q. Was the House in session at this
21 time? The Legislature?

22 A. I could not say for sure, Mr.
23 Commissioner. It is possible that it was.

24 MR. WILSON: Q. Following that call
25 from Mr. Jolley, did you ever hear from Mr.
26 McDermott?

27 A. No, I did not. I have never
28 spoken with Mr. McDermott or Mr. Feeley in
29 my life.

30 Q. After that call, did you have a



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1 further visit from Mr. Humphrey?

2 A. Yes. I have a record of that
3 visit here, sir. (indicating).

4 I believe I said before, sir, that this
5 visit was not reported to the Police Commission.
6 It was reported, in fact, to the Police
7 Commission, and this is the copy of my
8 letter to the Board of Police Commissioners,
9 regarding that visit.

10 Q. What is the date of your report?

11 A. The date of the report is May
12 8th, 1958. It reports a call received
13 from Mr. Humphrey on April 24th, 1958.

14 Q. This is Mr. David Humphrey,
15 the Toronto lawyer?

16 A. He represented himself as such
17 on the telephone.

18 THE COMMISSIONER: This is a telephone
19 interview?

20 A. He called, asking if he could
21 have an appointment to see me, to discuss
22 the raids on the club. That was on the 24th
23 that he called.

24 Q. Yes?

25 A. And he arrived at my office at
26 three p.m. on Friday, April 25th, 1958.

27 Q. April 25th?

28 A. April the 25th, 1958, yes.

29 Q. And you reported to the
30 Commission about the visit on what date?

[illegible]



1 A. My letter is dated May 8th.
2 That would be the first meeting of the Commission
3 after this visit.

4 Q. Yes.

5 A. I had previously arranged to
6 have two sergeants of my department present
7 at the office at this time; Sergeants Webb
8 and Scholtz were at the office. Mr. Humphrey ---

9 Q. Yes?

10 A. Conversation was along the same
11 lines that he had adopted at the Police
12 Commission meeting, complaining about the
13 frequency of the raids, and the manner in
14 which they were carried out.

15 He only stayed a very few minutes, and
16 then left.

17 MR. WILSON: Could I see the report for
18 just a moment? (Handed to counsel)

19 THE WITNESS: I believe, sir, at that
20 time he was at the club. I was not at the
21 club, but he was at the club when they raided
22 it.

23 MR. WILSON: Q. Well, was it on that
24 occasion when he said something along the
25 lines, "I guess I am not wanted"?

26 A. I believe he made a remark
27 like that; that he did not feel too welcome.

28 Q. In this report, a copy of the
29 report you made of May 8th, I see you made
30 reference to a raid later that day. Give us



1 the substance of that.

2 THE COMMISSIONER: Read the report.

3 THE WITNESS: The complete report?

4 THE COMMISSIONER: Yes.

5 THE WITNESS: It is dated May 8th,
6 1958, directed to :

7 "His Worship Reeve F. HOUSE, Chairman,
8 "Members of the Board of Police Commissioners,
9 "Township of Bertie,
10 "RIDGEWAY, Ontario.

11 "Re: Frontier Veterans Association,
12 Thompson Rd., Bertie Twp., Ontario.

13 "SIRS:

14 "On April 24th, 1958 Mr. David
15 "HUMPHRIES, Lawyer, representing
16 "the above noted Club, contacted
17 "the writer by phone requesting an
18 "appointment to discuss the raids
19 "on the club. Mr. HUMPHRIES arrived
20 "at the police office at 3.00 P.M. on
21 "Friday April 25th., 1958. Sergts.
22 "WEBB and SCHULTZ were present
23 "at the time and Mr. HUMPHRIES
24 "conversation at the time was along
25 "the same lines as he adopted at
26 "his meeting with the Police
27 "Commission. Very little was said
28 "by myself or the other members
29 "present regarding the Club, and
30 "after a few minutes Mr. HUMPHRIES
"left.



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1 " On the same date at 10.59
2 "P.M. a search warrant was executed
3 "at the Club by Csts. Schier and
4 "STITT and at that time Mr. HUMPHRIES
5 "was at the Club. He requested to
6 "examine the warrant and after
7 "perusing same commented that it
8 "was 'O.K.' The Constables pro-
9 "ceeded to take the names and
10 "addresses of the persons on the
11 "premises and immediately this
12 "was completed someone suggested
13 "a poker game. Immediately a small
14 "poker game was started and then some
15 "person suggested a dice game.
16 "According to the Constables what
17 "appeared to be a single movement
18 "there were about 25 men gathered
19 "around one of the pool tables
20 "playing dice. However this was
21 "only what is known as a 'fade
22 "game' and no bank was kept. A few
23 "minutes later some of the occupants
24 "moved toward the door to leave the
25 "premises and were detained momentarily
26 "by Cst. STITT. At this Mr.
27 "HUMPHRIES spoke to the Constable
28 "demanding to know whether or not
29 "the persons were under arrest. On
30 "being informed that they were not



1	THE HISTORY OF THE CITY OF LONDON
2	OF THE CHURCHES AND PARISHES
3	OF THE MONASTIC HOUSES
4	OF THE UNIVERSITY OF LONDON
5	OF THE LONDON HOSPITALS
6	OF THE LONDON WORKHOUSES
7	OF THE LONDON PRISONS
8	OF THE LONDON ASYLUMS
9	OF THE LONDON HOSPITALS
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100	OF THE LONDON ASYLUMS



1 "under arrest, they were allowed
2 "to leave.

3 " From the actions of the persons
4 present it would appear that the
5 "whole affair was well planned
6 "and rehearsed, as this is the only
7 "occasion that the persons found
8 "on the premises have acted in this
9 "manner during the raids."

10 MR. WILSON: Shall I file that?

11 I guess it is in the record now.

12 THE COMMISSIONER: Yes.

13 MR. WILSON: Q. After the date, did
14 you have any further communications from
15 Mr. Humphrey?

16 A. No, I do not recall any further
17 communication with Mr. Humphrey at all.

18 Q. Or any further representations
19 on behalf of the club?

20 A. No. Mr. Jolley was in
21 Ridgeway; I met him on the street. This is
22 about the time they had closed, and I believe
23 I told him then that the club had moved out,
24 and he at that time did not mention the phone
25 call from Toronto to me, or make any reference
26 to it at all.

27 Q. I take it there were no further
28 representations made after April 25th?

29 A. No, not to me, no.

30 Q. And apart from the individuals



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1 you mentioned, who came to your home in
2 Niagara Falls in December 1957, was there
3 any further effort made to try to influence
4 you, by promising you some gift or other
5 consideration, to dissuade you from what you
6 were doing about the club?

7 A. No, I do not think so, sir.

8 Q. You say you do not think so?

9 A. I do not recall any other
10 representations made to me at all.

11 Q. Well, now, do I take it from
12 that that you are swearing there were no
13 further efforts made to you, or inducements
14 held out to you?

15 A. Well, there was a rumour
16 apparently, that circulated, that I could make
17 some money if I held off the club, but I did
18 not.

19 Q. We have had lots of rumours in
20 this Commission.

21 A. Yes.

22 THE COMMISSIONER: Q. Did anyone come
23 to you and say that you could?

24 A. There was an informer of mine
25 who told me that there were rumours being
26 circulated that I could make some money if I
27 laid off the club, but I did not trust him and
28 I did not pursue the matter any further.

29 MR. WILSON: Q. And that is the extent
30 of it?



you mentioned, who came to your home in
the house which is between 10th and 11th
any further effort was made to get to the
you, by following the same line of action
consequently, to determine how far you
were going about this matter.

A. No, I do not think so.

Q. Did you ever see him again?

A. I do not recall any more.

representations made to me at all.

Q. Well, now I want to know

that that you are receiving money from me

further effort made to you, or otherwise.

held out to you.

A. Well, there was a person

representing, that I should know

some money if I held off the wire, but I did

not.

Q. He has had lots of money in

the country.

A. Yes.

Q. Now, I want to know

do you say that you could

there was an interest of wire

and that is what I am going to say.

circulated that I could make some money if I

held off the wire, but I didn't want him and

I did not know the other way around.

Q. Now, I want to know



1 A. Yes.

2 MR. WILSON: That is all, thank you.

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7 EXAMINED BY MR. HOGG:

8 Q. Chief Johnson, when Jolley
9 telephoned you, did he sound to you scared
10 and worried?

11 A. No, I did not think that he
12 sounded that way; he sounded more like he had
13 been drinking, quite heavily possibly.

14 Q. Now, you were satisfied in your
15 own mind that this was a gambling, an illegal
16 gambling house run by a group; in your own
17 mind?

18 A. I would have to say, sir, that
19 we have no evidence of illegal gambling. We
20 have never found evidence enough to lay
21 charges. Our warrant stated, from observations
22 and reputation.

23 Q. And you decided the best way
24 to put this out of operation was to constantly
25 raid it?

26 A. Yes, I did that on instructions
27 of the Police Commission.

28 Q. And in fact, as a result of
29 your constant raids and observations, it closed
30



Q. Now, did you see any other people there?

A. Yes, I saw him go to the door.

Q. And then?

A. Yes, I saw him go to the door.

Q. Did you see him go to the door?

A. Yes, I saw him go to the door.

Q. And then?

A. Yes, I saw him go to the door.

Q. Did you see him go to the door?

A. Yes, I saw him go to the door.

Q. Did you see him go to the door?

A. Yes, I saw him go to the door.

Q. And then?

A. Yes, I saw him go to the door.

Q. And then?

A. Yes, I saw him go to the door.

Q. And then?

A. Yes, I saw him go to the door.

Q. And then?



1 down?

2 A. Yes, they moved out.

3 Q. And you have told us about the
4 representations from Humphrey, others, and
5 Mr. McDermott to cease raiding?

6 A. Well, they did not suggest
7 ceasing raiding; they thought that they should
8 not be as frequent.

9 THE COMMISSIONER: Q. Perhaps that
10 was during the month, I suppose?

11 A. That was during the whole time,
12 Mr. Commissioner.

13 Q. I think you said pending
14 discussion between the Commission and the
15 Attorney-General's Department, the Commission
16 suggested to you to ease ---

17 A. Up?

18 Q. Up.

19 A. The Police Commission were waiting
20 a visit to the Attorney-General's Department.
21 There were no raids carried out at that time.

22 Q. That is the period you are
23 talking about?

24 MR. HOGG: Yes.

25 Q. These raids were made under your
26 direction; your police officers or ---

27 A. Yes.

28 Q. You were not beholden to the O.P.P.,
29 or not required to take direction from
30 Inspector Bartlett or anybody else in the O.P.P.



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Q. And you have not seen him since then?

A. Well, only at the funeral.

THE COMMISSIONER: A. I am sorry that

was during the funeral, I suppose.

A. That was during the funeral time.

Mr. Commissioner.

A. I am sorry that

discussion between the Commission and the

Attorney-General's office, the Commission

suggested to you to look --

A. Yes.

Q. Yes.

A. The other question was about

a visit to the Attorney-General's office.

There were no papers turned out at that time.

A. That is the period you are

inquiring.

Mr. Commissioner.

A. Those visits were made under your

direction, were they not?

A. Yes.

Q. You were not permitted to see the files?

A. Not permitted to see the files.

There was no opportunity to see the files.



1 Headquarters?

2 A. No. In fact, the Ontario
3 Provincial Police carried out raids themselves,
4 separate from our raids.

5 Q. But Bartlett would have no
6 direction over you? He is not a superior of
7 yours?

8 A. No, he would not.

9 Q. Why did you want the place closed
10 up?

11 A. There were many, many stories
12 going around about the place, and we got
13 anonymous letters about it. It had been a
14 thorn in the side of the police previously,
15 before I came there.

16 Q. On June 24th, did you have a
17 meeting with Sergeant Anderson?

18 A. On June 24th? Sergeant Anderson?

19 Q. 1958. And it was decided that
20 the anti-gambling branch would now anticipate
21 in the raids with you?

22 A. Oh, I believe they had been
23 participating before that, sir.

24 THE COMMISSIONER: Q. You put it
25 "co-operating". That is the way you put it.

26 A. The uniformed branch; No.4
27 district. They also carried these out.

28 Q. I see.

29 A. And the anti-gambling squad, I
30 believe, had been carrying out raids on the

[illegible]



1 club before.

2 MR. HOGG: Q. Was this shortly before
3 the club closed down?

4 A. I think they had been carrying
5 out raids on it for some time. Prior to
6 our department taking over.

7 Q. Now, when Mr. Humphrey came
8 down to see you, you took the precaution to
9 have two sergeants there; two of your senior
10 men?

11 A. Two sergeants, yes.

12 Q. And your Force consisted of how
13 many men at the time?

14 A. Eleven men.

15 Q. Why did you think it advisable
16 to have two other persons present, Chief?

17 A. Well, I don't know that there
18 was any particular reason for it. He had
19 attended the Police Commission meeting, he
20 had given us to understand that he was coming
21 alone, and he came with some moral support,
22 so I did the same.

23 Q. Exhibit 98 has been filed by
24 Mr. Wilson and is a report of Staff Sergeant
25 Anderson. That is, warrants were executed,
26 starting May 30th, 1958, and later listed here,
27 as the 2nd, 6th, 11th, 17th, 25th and that
28 on the second page, in the second paragraph,
29 lists the number of raids that your department
30 conducted (indicating document).



THE COURT.

Q. Now, did you see any one else in the room?

A. Yes, I saw one person.

Q. What time was it when you saw him?

A. It was about 10 o'clock, I think.

Q. Did you see him again?

A. Yes, I saw him again.

Q. How long did you see him?

A. I saw him for about 10 minutes.

Q. Now,

A. I saw him again.

Q. And you saw him again?

A. Yes, I saw him again.

Q. Now,

A. I saw him again.

Q. Did you see him again?

A. Yes, I saw him again.

Q. Now,

A. I saw him again.

Q. Did you see him again?

A. Yes, I saw him again.

Q. Now,

A. I saw him again.

Q. Did you see him again?

A. Yes, I saw him again.

Q. Now,

A. I saw him again.

Q. Did you see him again?

A. Yes, I saw him again.

Q. Now,

A. I saw him again.



1 A. I would have to check this with
2 my reports, sir.

3 Q. Does it appear to you now to
4 be accurate?

5 A. I presume it to be accurate.

6 Q. So, the O.P.P. did not carry
7 out many raids? In fact, relatively few
8 raids.

9 A. Well, I would think in addition
10 to this, raids were carried out by No.4 district,
11 the uniform branch.

12 THE COMMISSIONER: *A/* That is the list
13 of raids of the anti-gambling squad?

14 MR. HOGG: Yes.

15 THE COMMISSIONER: Q. You say in addition
16 to that, the district officers of the O.P.P. ---

17 A. No.4 district carried out,
18 at the request of the Police Commission.

19 THE COMMISSIONER: Are there any
20 other questions?

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A. I would have to check with you

to see if you

have to check with you

to see if you

I would have to check with you

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EXAMINED BY MR. REID SCOTT:

Q. I would like to ask you a couple of questions about the telephone conversation from Mr. Jolley.

How long would this have lasted? Can you recall?

A. Oh, it lasted possibly two or three minutes.

Q. I think you said he sounded incoherent; he was muttering and stumbling?

A. Yes, that is right.

Q. You say he talked about the club at that time. Did I understand you correctly?

A. Yes, he talked about the club.

Q. What did he say about it? Can you recall?

A. He called about the raids on it.

Q. What about the raids?

A. The frequency of them.

Q. Was he complaining about the frequency of them?

A. I do not think he was complaining. He seemed to think possibly that we were raiding it too often.

Q. He thought you were raiding it too often?

A. He gave me that impression, sir.

Q. He gave you the impression



EXHIBIT A - 100-100000

Q. I would like to ask you a

series of questions about the telephone

conversations from Mr. Tolson.

Now, would you please state the

first one?

A. Yes, it is the one

on page 100.

Q. I think you said it was

involvement in the matter of the

fact, that is right.

Q. You say he called about the

at that time. Did I understand you

Q. Yes, he called about the

Q. What did he say about the

the second?

A. He called about the

Q. Was that the

A. The telephone, is that

Q. Was he complaining about the

the third?

Q. I do not know the

He seemed to think possibly that

which is too often.

Q. Is that the

the fourth?

A. He said he

Q. Is that the



1 that he thought you were raiding it too often?

2 A. Yes, that is right.

3 Q. And you said something - I
4 caught your words, something about a friend
5 wanting to see you?

6 A. I do not know that he said a
7 friend; or Mr. McDermott. But Mr. McDermott's
8 name was mentioned.

9 THE COMMISSIONER: Q. You did say a
10 friend.

11 A. I am sorry, sir.

12 Q. Just a moment; I thought you said
13 "a friend".

14 MR. REID SCOTT: I caught the word,
15 sir.

16 THE COMMISSIONER: Q. This is the note
17 I made, and see if I am right. "I knew Mr.
18 Jolley since 1946. In 1958 I had a call
19 from him, for an appointment for Mr. McDermott.
20 This was late in the spring- when he called
21 me, and said a friend or an acquaintance
22 wanted to see me about the club".

23 A. Well, I could not be sure, sir,
24 whether he mentioned that was a friend, but
25 Mr. McDermott's name was mentioned as having
26 an appointment, or wanting to arrange an
27 appointment with me.

28 MR. REID SCOTT: Q. Do you recall,
29 did he link up the word "friend" with "McDermott"?

30 THE COMMISSIONER: He said he is not



Q. Now, the subject of the report is the...

A. Yes, that is correct.

Q. And you said something - I

thought you were... I think

wanting to see you

A. I do not know what he said

about; or Mr. Belmont, but Mr. Belmont's

name was mentioned.

THE COMMISSIONER: Q. Was that all?

Q. Yes.

A. I am sorry, Mr.

Q. Just a moment; I thought you said

"a friend."

MR. BELMONT: I thought the word

was

the Commission... that he

I know, and so I am right. I know Mr.

Belmont since 1946. In 1946 I had a call

from him, for an interview. He was

then was in the office - when he called

me, and said a friend of an acquaintance

wanted to see me about the case.

A. Well, I could not be sure, Mr.

whether he mentioned that was a friend, but

he mentioned that he was a friend of

an acquaintance, or something in that

connection.

MR. BELMONT: Q. So you really

did not link up the word "friend" with "Belmont"

THE COMMISSIONER: He said he is



1 sure that he used the word "friend".

2 THE WITNESS: I could not say, sir.

3 MR. REID SCOTT: Q. What did you
4 say, when he made these complaints about the
5 club, or gave the impression that he thought
6 it was being raided too frequently?

7 A. I don't know whether he thought,
8 or whether somebody was telling him it was
9 being raided too frequently.

10 THE COMMISSIONER: Have you got this?
11 The note I made was this: "Jolley telephoned.
12 The conversation lasted two or three minutes.
13 He talked about the club and the frequency
14 of the raids; he seemed to think we were
15 raiding too often".

16 THE WITNESS: Well, it is possible
17 that he suggested that. It was rather hard
18 to get a coherent story out of it. I
19 was of the opinion at the time that he had
20 been drinking.

21 MR. REID SCOTT: Q. I appreciate
22 that. When, in the conversation, did he
23 suggest that you see McDermott?

24 A. Well, I was under the impression
25 that he had called for that express purpose:
26 To make the appointment for me to talk to
27 McDermott.

28 Q. What did you do about seeing
29 McDermott?

30 A. I advised him at the outset that



"Don't" "You say you're all right now



1 I had nothing to talk to McDermott about;
2 if he wanted to talk about the club, and had
3 any complaints, that he should see my Police
4 Commission.

5 Q. You say later on in the
6 conversation you agreed to see McDermott?

7 A. Yes, I did.

8 Q. Is that at the insistence of
9 Mr. Jolley?

10 A. I don't know that it would be
11 at the insistence of Mr. Jolley.

12 THE COMMISSIONER: Q. You yielded
13 finally to the suggestion that you might see
14 McDermott. Is that the way you would put it?

15 A. I do not know, that as Chief
16 Constable, I can refuse to see anybody who
17 wanted to see me.

18 MR. REBE SCOTT: Q. That is an
19 original suggestion. You then told us that
20 Jolley asked you to call him back?

21 A. Yes, he did.

22 Q. Did he say why he wanted you
23 to call him back?

24 A. No, he did not. He asked me
25 to call him at the hotel that night. He
26 gave me a room number. It was four figures.
27 I don't know what room number it was.

28 Q. Did he say what he wanted
29 to know, at that time?

30 A. No, he did not.



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I had nothing to say on November 1941

if he wanted to talk about the trial, and that

any conviction, that he would not be

Q. You say there was no

conviction for the purpose of the

A. Yes, I did.

Q. You say the conviction of

A. I don't know what it would be

as the conviction of the trial.

Q. The conviction of the trial

finally to the conviction of the trial

conviction. In that case, you would have

A. I do not know, but as I

conviction, I can believe in the conviction

would be the same.

Q. That is the same as

original conviction. You mean that in the

trial, you say you did not

A. Yes, I did.

Q. And you say you did not

as the conviction

A. No, I did not. I did not

as the conviction of the trial

and as the conviction. It was the conviction

I don't know what the conviction is

Q. That is the conviction

as the conviction, I don't know

A. Yes, I did not



1 Q. Did you gather he wanted to
2 have a report on your interview with McDermott?

3 A. Not that night, sir, because
4 Mr. McDermott, I take it, was not coming down
5 within the next few days. There was no
6 time mentioned that he came down.

7 Q. Did not McDermott give you some
8 date?

9 A. He never came to see me.

10 MR. REID SCOTT: I think that is all.

11 MR. ROSE: I have no questions.

12 MR. WILSON: I have one question.

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17 EXAMINED BY MR. WILSON:

18 Q. Mr. Hogg suggested that you were
19 having communication with Deputy Commissioner
20 Bartlett. Did you in fact have any communica-
21 tions with him ---

22 THE COMMISSIONER: No, no, no.

23 MR. HOGG: I never suggested that.

24 THE COMMISSIONER: He never suggested
25 that.

26 MR. WILSON: Why did he use the name?

27 THE COMMISSIONER: I do not think he
28 did.

29 MR. HOGG: I was trying to emphasize the
30



Q. Did you witness the shooting?

A. Yes, I saw the shooting.

Q. How many shots did you hear?

A. I heard three shots.

Q. How many shots did you see?

A. I saw three shots.

Q. How many shots did you hear?

A. Yes.

Q. How many shots did you hear?

A. I heard three shots.

Q. How many shots did you hear?

A. I heard three shots.

STATEMENT OF THE WITNESS

Q. How many shots did you hear?

A. I heard three shots.

Q. How many shots did you hear?

A. Yes.

Q. How many shots did you hear?

A. I heard three shots.

Q. How many shots did you hear?

A. Yes.

Q. How many shots did you hear?

A. I heard three shots.

A. Yes.

Q. How many shots did you hear?



1 point that this witness would not have
2 had any contact with Deputy Inspector Bartlett
3 or Deputy Commissioner Bartlett, and that
4 Bartlett was not a superior of his, in
5 any way.

6 THE COMMISSIONER: I did not get any
7 suggestion from Mr. Hogg's question that
8 Bartlett was mixed up in this.

9 MR. WILSON: Well ---

10 MR. HOGG: That is the very point I
11 was trying to make, was that he was not
12 connected with it.

13 MR. WILSON: Maybe I was trying to read
14 something else at the same time.

15 THE COMMISSIONER: Clear it up now.

16 Q. You did not have any communication
17 with Bartlett?

18 A. No, not at all.

19 MR. WILSON: Q. Just a moment. Whom
20 in the G.P.P. did you deal with in this
21 arrangement?

22 A. Inspector Marsland, Staff
23 Sergeant Hoffman of District No.4 Headquarters,
24 and Sergeant Anderson.

25 Q. Those were the ones?

26 A. Yes.

27 MR. WILSON: That is all, thank you.

28 THE COMMISSIONER: Thank you. Two-fifteen.

29 ---The witness withdrew.

30 ---Whereupon the proceedings were adjourned
for luncheon.

(Page 5045 follows)



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1 ---On resuming at 2:20 o'clock, P.M.

2 MR. WILSON: I will call R.J. Wright.

3
4
5 ROBERT J. WRIGHT, sworn:

6
7 EXAMINED BY MR. WILSON:

8
9 Q. Where do you reside?

10 A. I beg your pardon?

11 Q. Where do you live?

12 A. 117 Gooderham Drive,
13 Scarborough, Ontario.

14 Q. You were formerly a member
15 of the Ontario Provincial Police?

16 A. I was suspended from the Ontario
17 Provincial Police.

18 Q. You were a member of the
19 Provincial Police at one time?

20 A. Yes, sir, I was.

21 Q. When did you join the Force?

22 A. 1953, sir.

23 Q. And what branch did you serve
24 in at that time?

25 A. When I first joined the
26 Provincial Police I was in the Ontario Police
27 College, and then I was --

28 Q. For how long?

29 A. I believe it was in March of
30 1953, and I was in Police College, I believe,



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1 until May of 1953, and then I was posted to the
2 Anti-Gambling Squad in about May of 1953.

3 Around about the first part of May.

4 Q. Before you joined the Force
5 what was your occupation at the time?

6 A. Before I joined the Force
7 I was driving a taxi.

8 Q. In what place?

9 A. In Toronto, here.

10 Q. And how long had you been
11 engaged in that occupation?

12 A. Approximately three months.

13 Q. How old are you now?

14 A. Thirty-one.

15 Q. Before you were a taxi driver
16 what did you do?

17 A. Prior to being a taxi driver
18 I worked in various butcher shops throughout
19 the City and at Swift Canadian.

20 MR. LEVY: Mr. Commissioner, excuse
21 me. My name is Earl Levy. I am from Mr. Rose's
22 office. I think Mr. Wright would like to ask
23 for the protection of the Canada Evidence Act
24 and the Ontario Evidence Act.

25 MR. CARTHY: Mr. Rose did speak to me
26 about this matter and request.

27 THE COMMISSIONER: Q. Do you want
28 the protection of the Canada Evidence Act?

29 A. Yes, your lordship, with
30 your lordship's approval, the Canada Evidence Act



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1 and the Ontario Evidence Act.

2 Q. I do not know how the Ontario
3 Evidence Act applies; however, if you want the
4 protection of the Ontario Evidence Act, you have
5 the protection of both.

6 A. Thank you, my lord.

7 Q. That, nevertheless, requires
8 you to tell the truth.

9 A. I want to assist this
10 Commission in every way I can, your lordship.

11 Q. I want you to understand, you
12 are required to tell the truth.

13 A. Yes, your lordship, I realize
14 that.

15 MR. WILSON: Q. You served with the
16 Anti-Gambling Branch of the Ontario Provincial
17 Police from May of 1953 down to the date of
18 your suspension?

19 A. No. Would you repeat that
20 question again, please?

21 Q. After May of 1953 what branch
22 did you serve with, apart from the Anti-Gambling
23 Branch, if any?

24 A. No other branch, sir. At
25 1st of January, 1960, I took up regular police
26 duties in Belleville, Ontario, on Highway patrol
27 etc.

28 Q. I see. So that you left
29 the Anti-Gambling Branch in January of 1960?
30



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A. Yes, sir.

THE COMMISSIONER: At the end of
December, 1959.

MR. WILSON: Yes.

Q. The end of December?

A. Well, no. I was to report
to District Inspector McDougall in Belleville
on the 15th of January, 1960.

THE COMMISSIONER: Q. I thought you
said the 1st of January?

A. That was when I received my
transfer, and I took up other duties on the
15th of January in Belleville.

MR. WILSON: Q. You were stationed
in Belleville from the 15th of January until
the date of your arrest?

A. Yes.

Q. And that was May 28th, 1960?

A. What was May 28th, sir?

THE COMMISSIONER: Q. The date you
were arrested?

A. Yes, sir.

MR. WILSON: Q. Now, during the
period from 1956 to December of 1959, where
did you reside?

THE COMMISSIONER: From what date?

MR. WILSON: I am taking from the year
1956.

THE COMMISSIONER: Included?

MR. WILSON: Up to and including





1 the year 1959.

2 THE COMMISSIONER: Where did he what?

3 MR. WILSON: Reside.

4 Q. Where did you live in 1956,
5 '7, '8 and '9?

6 A. In 1956 I lived with my
7 parents.

8 THE COMMISSIONER: Q. Where?

9 A. At 86 Riverdale Avenue
10 in Toronto.

11 Q. Just a moment. 86 Riverdale?

12 A. Avenue, yes.

13 Q. Yes. And, then, where?

14 MR. WILSON: I would like to ask
15 the telephone number at that address?

16 A. Well, there was various
17 telephone numbers at that address, sir.

18 Q. Do you remember them?

19 A. No, I do not.

20 Q. Will you get them for us
21 for tomorrow?

22 A. I don't know whether I can.
23 I would have to get them from the Bell Telephone
24 sir, and I don't know whether I have the
25 authority to go to the Bell Telephone to get them.

26 THE COMMISSIONER: Q. Was there only
27 one telephone there?

28 A. Yes, there was only one
29 telephone.

30 Q. The number was changed from time



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1 to time. Is that what you mean?

2 A. Yes, sir.

3 Q. And where did you go next?

4 A. In 1957 I lived at 86 River-
5 dale and in 1958 I lived at 86 Riverdale.

6 MR. WILSON: Just a minute. At
7 the 1957 address, what was the telephone number?

8 A. Well, from the period of
9 1956 until I left 86 Riverdale the telephone
10 had changed. I don't recall the number. I can
11 tell you what the number is now, but I don't
12 what it was back then.

13 THE COMMISSIONER: Never mind now.

14 Q. What years did you live at
15 86 Riverdale Avenue?

16 A. 1957, 1956 and 1958 up until
17 the time of my marriage.

18 Q. When was that?

19 A. It was March 22, 1958.

20 Q. Where did you live then?

21 A. I then lived at 117 Gooderham
22 Drive.

23 Q. Where you presently live?

24 A. Yes, sir.

25 MR. WILSON: Q. Has the number been
26 changed there since you first moved there?

27 A. This is a two-story residence.
28 There was a basement apartment and I live in
29 the basement apartment. And upstairs there is
30 a telephone that I believe is the same number



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1 that has been there ever since the people
2 lived there.

3 Q. Did you have a telephone
4 when you were there after your marriage?

5 A. Yes, I did.

6 Q. What was the number then?

7 A. In 1958 -- I believe the
8 number was -- I would only be guessing because
9 I don't actually recall the exact number.

10 Q. How long did you continue
11 to live at that address?

12 THE COMMISSIONER: He is still there.

13 THE WITNESS: I left there when I
14 was transferred.

15 MR. WILSON: He did leave there,
16 Mr. Commissioner.

17 Q. Did you stay there until
18 you were transferred to Belleville?

19 A. Yes, sir, I did.

20 Q. Who occupied the upstairs
21 at this address after your marriage, at this
22 residence on Gooderham?

23 A. My brother and his wife and
24 family.

25 Q. Are they still there?

26 A. Yes sir.

27 Q. After you moved to Belleville,
28 where did you reside in Belleville?

29 A. 44 Highland Avenue, I believe.
30 It was an older dwelling house, converted into



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1 apartments.

2 Q. What was the telephone
3 number there?

4 A. It was Woodland 2-

5 Q. 5705?

6 A. Yes, I believe that was the
7 number.

8 Q. Did you reside there with --
9 Or, did Constable Wood reside in the same house?

10 A. Well, just a minute. You
11 are getting me confused, sir.

12 Q. Tell me who resided in this
13 house you moved into in Belleville?

14 A. My wife and I resided
15 at our apartment.

16 Q. Who else occupied the
17 apartments?

18 A. Nobody else. Mind you, when
19 I was first transferred to Belleville on the
20 15th of January, I did live with a Constable
21 Wood. That was by myself. I took up
22 residence there temporarily until such time
23 as I could get my wife moved down to Belleville.

24 Q. You temporarily lived there
25 with Constable Wood?

26 A. Yes, I had a room.

27 Q. What was the number there,
28 Woodland 2-5705?

29 A. I believe that was
30 Constable Wood's telephone number. I said



1 before that was mine.

2 Q. I take it you used that
3 phone or had the use of it?

4 A. Yes, sir, I did.

5 Q. And you moved out at what
6 date to another location?

7 A. It would be in February
8 of 1960. It would be about the middle of
9 February, I believe.

10 Q. Where did you ~~Y~~ move to?

11 A. 44 Highland Avenue, in
12 Belleville.

13 THE COMMISSIONER: Q. Where was
14 this house that you lived with Wood, what
15 street was it on?

16 A. It was on, I believe,
17 east Moira or West Moira. I am not sure
18 whether it was east or west.

19 Q. Moira what?

20 A. Moira, M-o-i-r-a.

21 Q. In February, 1960, you moved
22 to 44 Highland?

23 A. Yes.

24 MR. WILSON: Q. What was the
25 telephone number at 44 Highland Avenue?

26 A. It was a Woodland exchange.
27 Woodland 2 --

28 Q. Wasn't it Woodland 8-6223?

29 A. Yes, it could have been.
30 I can't recall exactly, sir, but it could be



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1 that. That sounds familiar.

2 THE COMMISSIONER: What number did
3 you say?

4 MR. WILSON: I suggested Woodland
5 8-6223.

6 A. Yes, it could be that.

7 Q. Do you recall the telephone
8 number of your detachment headquarters in
9 Peterborough (sic)?

10 A. Pardon?

11 Q. At least, in Belleville?
12 I am sorry.

13 A. What is the question again?

14 Q. What was the telephone
15 number at your district headquarters where you
16 were located in Belleville?

17 A. It was -- I believe it
18 was Woodland 2-5 -- 5507, I think it was now.
19 I am just guessing, again.

20 Q. I suggest it was Woodland 8-
21 5507?

22 A. Well, I am just guessing, sir.

23 THE COMMISSIONER: Q. Woodland 8- 5-1

24 A. Woodland 8-5507.

25 MR. WILSON: Q. At 44 Highland
26 Avenue you were in apartment Number 3, were
27 you not?

28 A. Either apartment 3 or
29 apartment 2. I don't know the exact
30 apartment.



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1 Q. Did you continue to reside
2 at 44 Highland Avenue until you were arrested
3 on May 28th, 1960?

4 A. Yes, I did.

5 Q. While you were in Belleville,
6 in the beginning of January, 1960, up until
7 the 28th of May, 1960, did you have occasion
8 to use pay phones in that area, in the
9 area of Belleville?

10 A. Yes, I did.

11 Q. And for what purposes?

12 A. Well, sometimes I would call
13 the Detachment, sometimes I would call to
14 Roy Woods' house, sometimes I would call to
15 Toronto.

16 Q. And who would you --

17 A. Just as anybody used the
18 pay phones.

19 Q. I am not saying there is
20 anything about using a pay phone. Who would
21 you call in Toronto from the pay phones in the
22 Belleville area?

23 A. From pay phones I would
24 sometimes call my relations, I would call
25 Constable Scott, I would call McDermott --
26 Well, various people I would call.

27 Q. Now, how long had you known Joseph
28 McDermott?

29 A. How do you mean, how long
30 did I know Joseph McDermott?



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1 Q. Well, when did you first
2 meet him?

3 A. The first time I met him
4 was in the Centre Road Vets' Club in Cooksville.

5 Q. In what year?

6 A. Well, I am only guessing,
7 because it would be on raids. There was
8 several raids we conducted at these premises.
9 It could have been away back, 1954, '55.
10 I am just guessing again because I am not
11 sure.

12 Q. At that time did you see
13 him from time to time?

14 A. No, I did not. I never saw
15 Mr. McDermott until my arrest.

16 Q. Until your arrest?

17 A. Yes.

18 Q. Is this McDermott you called
19 from one of the pay phones in Belleville
20 Joseph McDermott?

21 A. He would be McDermott, the
22 person referred to here at this Crime probe.

23 Q. That is, Joseph McDermott?

24 A. Yes.

25 Q. And after these raids in
26 Cooksville you never saw him again until
27 the time of your arrest in Belleville?

28 A. I saw him several times in
29 the club.

30 Q. Did you communicate with him



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1 by the telephone from the time of these raids
2 up until the time of your arrest?

3 A. I would say that --

4 Q. You fixed the date of the
5 raid on the Centre Road Club as when you first
6 met him?

7 A. The first time I saw him,
8 yes.

9 Q. Or, saw him?

10 A. Yes.

11 Q. And that was in 1954?

12 A. 1954. Somewhere around there,
13 I can't exactly say the year.

14 Q. From that time up to May
15 28th, 1960, if I followed your evidence,
16 you said you never met him again?

17 A. Unless I saw him at raids
18 at the club.

19 Q. Unless you saw him on raids.
20 You never saw him outside of any location
21 where the raid went on in that period of time?

22 A. No, sir.

23 Q. I am asking you now whether
24 between this time in 1954 and May 28th, 1960,
25 whether you had telephone conversations with
26 Joseph McDermott?

27 A. In what period is this,
28 again?

29 THE COMMISSIONER: Q. From the time
30 you first met him at the raid in 1954 or '55



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1 until you were arrested, did you ever talk to
2 him on the phone?

3 A. I talked to him on the phone
4 after my transfer to Belleville.

5 MR. WILSON: Q. What were you talking
6 to him on the phone about after your transfer to
7 Belleville?

8 A. Well, I decided to do an
9 investigation of my own, and the only persons I
10 could decide to start with would be Joseph
11 McDermott because he was the alleged king pin
12 in gambling in Ontario, and this had been
13 preached to me from the time I joined the
14 Anti-Gambling Squad, and I see now it is
15 preached here at the Royal Commission.

16 THE COMMISSIONER: Q. What is that?

17 A. McDermott is reputed to be
18 the king pin of gambling at this Royal Commission,
19 as well as what we thought of him in the Anti-
20 Gambling Squad.

21 MR. WILSON: Q. What was this investigat-
22 ion you say you decided on?

23 A. Well, I decided to investigate
24 leaks on the Anti-Gambling Squad.

25 Q. From Belleville?

26 A. Yes, that is correct.

27 Q. Yes.

28 A. Just a minute, would you repeat
29 that again? The leaks on the Anti-Gambling Squad?

30 Q. That is right. I heard your answer.





1 THE COMMISSIONER: He is not sure
2 that he understood your question, and he thinks
3 maybe the answer is wrong.

4 MR. WILSON: Q. This is after you had
5 been transferred to Belleville you made up your
6 mind to investigate the Anti-Gambling Squad?

7 A. That is correct.

8 Q. Did you consult with any of
9 your fellow officers or your superiors in the
10 Force?

11 A. There wasn't a human on that
12 force I could trust, that is why I didn't consult
13 anyone on the force.

14 Q. You didnot consult anybody
15 on the Ontario Provincial Police about this plan?

16 A. No, sir, other than Max Roy
17 Wood. I told him I was doing a special investigat-
18 ion but I didn't tell him what it was about.

19 Q. As part of your plan you say
20 you communicated with Joseph McDermott?

21 A. That is correct.

22 Q. When did you first communicate
23 with Joseph McDermott?

24 A. I would say it would be in
25 January -- exactly when in January, I do not
26 know.

27 THE COMMISSIONER: Q. What year?

28 A. In January of 1960.

29 Q. How?

30 A. By telephone.



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1 MR. WILSON: Q. And would you make
2 any -- this call, this first call, would it
3 be from your residence or from some other phone?

4 A. It would be from a pay phone.

5 Q. Tell us what the first
6 conversation was you had with Joseph McDermott?

7 A. The first conversation with
8 Joseph McDermott. Well, I was quite upset about
9 my transfer at the time and, according to
10 Corporal Shrubbs and Sergeant Anderson, they
11 were constantly -- there was constant gossip
12 that McDermott knew more about what the squad
13 was doing than we knew ourselves, and I
14 decided I would start with McDermott for this
15 reason.

16 Q. What did you say to McDermott?

17 A. The first thing I said to
18 McDermott. I said I was on the Anti-Gambling
19 Squad and I could be of help to him.

20 Q. What help did you say you could
21 be to him?

22 A. What help? I told him I could
23 give him information on the policy of the
24 Anti-Gambling Squad, and he thought I was on
25 the Anti-Gambling Squad, and I told him that.

26 Q. You told him you were on the
27 squad?

28 A. Yes.

29 Q. Even though you had been
30 transferred?



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A. Yes

Q. This man who knew more about what was going on than you did did not know you had been transferred?

A. He did find out. Later on during my investigation he confronted me on the telephone, he said, "You aren't kidding me". He told me that.

Q. Tell us the rest of the conversation on this first call?

A. It was very brief, if I can recall the discussion, about the weather, and he discussed about politics. And he said he wasn't going to get involved with any plot of the O.P.P. I can't exactly recall the conversation, but it was along those lines. He was very, very evasive any time I talked to him.

Q. Can you fix the date of that call?

A. I can't fix the exact date, but I can fix the approximate time. It would be, I would think, about a week or so after I received my transfer.

Q. Was this before or after you had had some meetings with Constable George Scott?

A. This would be -- I called McDermott before I called Constable George Scott.

Q. And did you come to any arrangement on this first call?

A. No arrangement at all.



1 Q. And how was it left after that
2 first call?

3 A. It wasn't left in any way,
4 other than he told me not to be bothering him
5 with -- In fact he told me that, "All you
6 fellows is trying to do is cancel our charter
7 out here at Cookeville and I don't want no
8 part of it". In fact, if I recall, I think he
9 hung up on me. I think.

10 Q. Did he refuse to entertain
11 a deal whereby you would give him information
12 about the policy of the Anti-Gambling Branch?

13 A. He said that it was some kind
14 of a plan to cancel the charter at the Vets Club.

15 Q. That was your first call?

16 A. That is correct.

17 Q. When was your next call?

18 A. Well, the next call would be,
19 maybe, a day or two later, probably. I am only
20 guessing, again.

21 Q. Would that be, again, from a
22 pay phone?

23 A. Yes, it would be.

24 Q. By the way, what number did you
25 call on the first occasion?

26 A. I called Joseph McDermott's
27 number.

28 Q. Do you know the number? Was
29 it a Crescent number in Port Credit?

30 A. Yes, it was. It was



1 Crescent 8-3783 .

2 Q. This next call, you say,
3 was a couple of days later. To what number
4 was the call made?

5 A. It was made to the same
6 number.

7 Q. What was the discussion on
8 that occasion?

9 A. It would be along the same
10 lines. I tried to sell myself to him, that I
11 was prepared to give him policy and information
12 on the Anti-Gambling Squad.

13 Q. What was his answer on that
14 occasion?

15 A. He, again -- He declined
16 to make any -- to enter into, actually, to
17 any deal, or anything. He said, "Don't be
18 bothering me. I know its all part of the plot
19 of the O.P.P. to get me involved and get the
20 club charter cancelled at Cooksville".

21 Q. How did you know McDermott's
22 phone number?

23 A. Well, we -- I say "we", myself
24 and officers of the Anti-Gambling Branch, at
25 random we would take down suspected -- we would
26 get leads on suspected bookmakers and gamblers
27 and take a search warrant out and check their
28 telephone numbers, and McDermott's was one
29 that was checked very often.

30 Q. You have told us about two

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1 calls. When was the next one?

2 A. It could have been a week
3 later, it could have been a few days later.
4 There were several calls, because I used to call
5 him quite often.

6 Q. The next one, was it also
7 from a pay phone?

8 A. Yes, I believe I made nearly
9 all my calls to him from the pay phone.

10 Q. Where were these pay phones
11 located in Belleville you made your calls from?

12 A. Some of these calls I made
13 from Toronto before my effective transfer took
14 place. I made these before I actually took
15 up duty in Belleville. This would be between
16 the period of the 1st of January and the 15th of
17 January.

18 Q. Well, in other words, you
19 tried to make this arrangement with McDermott
20 before you actually left Toronto?

21 A. That is correct.

22 Q. When the 15th of January had
23 arrived, and you were actually moved to
24 Belleville, had you arrived at a deal with him?

25 A. Arrived at no deal with him,
26 no, sir.

27 Q. When you got to Belleville,
28 you continued to call him regularly. Is that
29 correct?

30 A. Yes, I did.



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1 Q. You say these calls were
2 from pay phones in the Belleville area?

3 A. Yes, sir.

4 Q. Where were these pay phones
5 located that you made these calls from, as you
6 recall?

7 A. Oh, various spots, sir.
8 They would be anywhere in the City of Belleville.
9 If I just happened to be by a payphone I would
10 call him and if it came to my mind I would call
11 him.

12 Q. You cannot remember the
13 location of any of them?

14 A. Yes, I can recall where some
15 of them might be. There was pay phones out
16 near a couple of restaurants, out near the
17 highway. There was pay phones in the western
18 part of Belleville, the eastern part of Belleville.
19 Various points in Belleville.

20 THE COMMISSIONER: Q. What time of
21 the day did you call him?

22 A. I would call him sometimes
23 in the day time and sometimes in the evening.

24 MR. WILSON: Q. Now, did you continue
25 to make your calls after January the 15th, 1960,
26 to Joseph McDermott?

27 A. Yes, I did.

28 Q. And did you arrive at any
29 arrangement with Max Joseph McDermott?

30 A. No, I did not.



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Q. Well, why would you keep on calling him?

A. I was trying to gain his confidence and sell him with the idea I was going to provide him with information about the Anti-Gambling Squad.

Q. This investigation you were embarking on, what were you hoping to achieve?

A. I was hoping to expose those responsible for my transfer, and also those who might be involved in any corruption on the Anti-Gambling Branch.

Q. You were not trying to expose Joseph McDermott?

A. No. All along we suspected he was a gambler and it was alleged he was the king pin from the time I started there.

Q. Who were these people who were responsible for your transfer?

A. That I do not know to this day. I know Commissioner Clark was, George Scott was and Assistant Commissioner Kennedy was.

Q. What was given as the reason for your transfer at the time it was made?

A. To enable me to take up regular police duties. In fact, I took the transfer and threw it in the basket and when I was arrested Inspector Graham seized it and made a snide remark about it.

Q. Before then you left the



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1 Anti-Gambling Branch were you suspicious of
2 all the members? I take it you must have been
3 if you were suspicious of everybody on the
4 Force?

5 A. I wasn't suspicious of the
6 general men on the force; I was suspicious
7 of the Anti-Gambling Squad and the office
8 of the Commissioner, and that's who I was
9 suspicious of.

10 THE COMMISSIONER: Just a moment.

11 Q. You were suspicious of the
12 Commissioner?

13 A. Yes, sir, I was.

14 Q. What is his name?

15 A. W.H.Clark.

16 Q. Yes. Who else?

17 A. Well, anybody in the general
18 headquarters.

19 Q. Tell me, who were they that
20 you were suspicious of?

21 A. There was Commissioner Clark
22 I was suspicious of Anderson.

23 MR. WILSON: Q. Just go slowly.
24 Sergeant Anderson you are talking about?

25 A. Yes.

26 THE COMMISSIONER: Q. Yes.

27 A. I was suspicious of Constable
28 Moore, Constable Scott, Constable Vertolli,
29 Constable Kobelka, Constable Lamorie,
30 Constable Lawrence, and there were other officers





1 in the Commissioner's office~~x~~ that Shrubb had
2 told me he has his suspicions of.

3 THE COMMISSIONER: Q. Never mind
4 about who Shrubb was suspicious of, just
5 who you were suspicious of. I want to get
6 their names down.

7 A. Mr. Phelps, the late
8 Commissioner.

9 Q. McNeill?

10 A. Yes, sir. The late Deputy
11 Commissioner, Loughheed.

12 Q. Yes?

13 A. I believe that is all I can
14 recall that were there at the time.

15 Q. Just take your time and tell
16 me all those you were suspicious of. Do
17 you want me to repeat them to you?

18 A. Yes, if you do not mind.

19 Q. Commissioner Clark?

20 A. May I write them down?

21 Q. Haven't you a good memory?

22 A. No, sir, when it comes to
23 names, I haven't a very good memory.

24 Q. You are going to be relying
25 on your memory on a good many occasions during
26 the course of your evidence. Now, just trust
27 your memory now. Commissioner Clark?

28 A. Yes, sir.

29 Q. Sergeant Anderson?

30 A. Yes, sir.



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Q. Constable Moore?

A. Yes, sir.

Q. Constable Scott?

A. Yes, sir.

Q. Constable Vertolli?

A. Yes, sir.

Q. Constable Kobelka?

A. Yes, sir.

Q. Lamorie?

A. Yes, sir.

Q. Lawrence?

A. Yes, sir.

Q. Phelps?

A. Yes, sir.

Q. Commissioner McNeil?

A. Yes, sir.

Q. And Assistant Commissioner

Lougheed?

A. Yes, sir.

Q. Now, anybody else?

A. I believe that is all, sir.

Q. You do not include Bartlett,
I notice?

A. No. Bartlett. I have had
no suspicions of Bartlett whatsoever.

Q. You have no suspicion_s of
Bartlett. All right. Have we got them all?

A. Excuse me, if I may, your
lordship: Deputy Bartlett had no connection
with our Anti-Gambling Branch. We



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1 answered either to Commissioner Clark or
2 Commissioner Kennedy.

3 Q. I want to get all those on
4 the force of whom you were suspicious, whether
5 they were on the Anti-Gambling Squad, or
6 what. Clark was not on the Anti-Gambling
7 Squad?

8 A. He was in charge of the
9 Force, sir.

10 Q. He was not on the squad?

11 A. No, sir.

12 Q. And the late Commissioner
13 McNeil, nor Loughheed?

14 A. I know, but we answered to them.

15 Q. I know you answered to them.
16 But, tell me everybody on the Force of whom you
17 were suspicious, exhaust them all?

18 A. I believe that is all, sir.

19 Q. That is all, all right.

20 Go ahead, Mr. Wilson.

21 MR. WILSON: Q. I take it you had
22 confidence in Corporal Shrubb?

23 A. Yes, Corporal Shrubb, was to
24 my estimation, a very good officer and when
25 he left there he told me he had concrete proof
26 on these people and showed me telephone stuff,
27 telephone photostats about various people,
28 and he told me he had concrete proof.

29 Q. On whom --

30 THE COMMISSIONER: Q. We will get



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1 that in due course, if you say it exists.

2 You had confidence in Shrubb. Who else did
3 you have confidence in?

4 MR. WILSON: Q. What about
5 Napolitano, you have not mentioned him?

6 A. I am sorry, there is another
7 officer on the squad. He was on the squad
8 at the time I was on there, too.

9 THE COMMISSIONER: Q. Were you
10 suspicious of him?

11 A. Yes, sir, I was suspicious
12 of every member of our squad.

13 MR. WILSON: Q. Shrubb was a member
14 of your squad up to the end of 1958, wasn't he?

15 A. Yes, he was.

16 Q. Were you suspicious of him?

17 A. No, sir. It was him that
18 told me a lot of things that helped confirm
19 my suspicions.

20 Q. When did you first get these
21 suspicions of your associates on the force?

22 A. Well, it is going to take a
23 long time for me to tell you.

24 THE COMMISSIONER: Q. Well, we will
25 give you the time.

26 A. Okay.

27 It started off at the time of the raid
28 on the Ramsay Club in Niagara Falls.

29 MR. WILSON: Q. That was August 18,
30 1958.





R.J.Wright

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1 A. That is correct, sir.

2 In fact, I was officer-in-charge. Anderson
3 and I were officers-in-charge of that raid.

4 THE COMMISSIONER: What date, Mr.
5 Wilson?

6 MR. WILSON: August 18, 1958.

7 THE COMMISSIONER: Q. All right.

8 A. We put a lot of hard work
9 into that case.

10 Q. Never mind that, we just
11 want to know when you first became suspicious?

12 A. Well, it started about this time
13 and prior to that a few months when we were
14 ordered to stop raiding the Cooksville Club.
15 We could raid them every night until we put
16 them out of business. And Sergeant Anderson
17 said, "You can't because of the higher-ups".
18 We used to raid it and all of a sudden we got
19 instructions not to raid it any more.

20 Q. Your suspicions started on
21 about August, 1958?

22 A. Yes, sir.

23 Q. You became suspicious of who
24 at that time?

25 A. At that time I became ^{suspicious} ~~suspicious~~
26 of Anderson.

27 MR. WILSON: Q. Why?

28 A. Because when we were prosecuting
29 the Ramsay Club in Niagara Falls, Anderson and
30 I would be sitting beside the Crown Attorney,





1 Mr. Forestell, and when it came for me to go
2 into the witness box the lawyer who was
3 defending that club at the time, a lawyer from
4 St. Catharines, apparently said to Sergeant
5 Anderson that himself -- that is, Sergeant
6 Anderson -- and myself were McDermott's stooges.
7 At that time -- You hear these things over
8 a period of years and you just brush them off.
9 Now, then, --

10 Q. Well, --

11 THE COMMISSIONER: Just a moment.

12 Q. This was in the Courtroom,
13 was it?

14 A. Yes, sir, this was just as
15 I was going to take the box.

16 Q. In the Courtroom?

17 A. Yes, sir.

18 Q. You and Anderson were
19 sitting beside Crown Attorney Forestell?

20 A. Yes, sir.

21 Q. When the lawyer for the
22 defence turned to Forestell and said you and
23 Anderson were McDermott's stooges. Is that
24 what you are saying?

25 A. That is correct, sir.

26 Q. You would resent that,
27 wouldn't you?

28 A. Well, I certainly did, sir.

29 Yes.

30 Q. How did you express your





1 resentment?

2 A. Sergeant Anderson and I
3 submitted a memorandum to the Commissioner
4 to sue Mr. Fleming because these statements
5 were made in the presence of Crown Attorney
6 Forestell and Magistrate Hallett. And
7 Crown Attorney Forestell phoned Sergeant Anderson
8 and said that these statements were made in
9 the presence of these people and he phoned
10 Sergeant Anderson and told him those remarks.
11 And Sergeant Anderson prepared a memorandum
12 to be sent to the Commissioner asking for
13 the right to sue.

14 Q. You and Sergeant Anderson .
15 Both police officers were in the Courtroom when
16 this lawyer slandered you?

17 A. Yes.

18 Q. You say he was telling Crown
19 Attorney Forestell that you and Sergeant
20 Anderson were McDermott's stooges?

21 A. I didn't hear it at the time,
22 I heard it --

23 Q. I thought you said you did?

24 A. I was just taking the witness
25 stand and the remark was made to Sergeant
26 Anderson.

27 Q. And you heard it?

28 A. I didn't hear the remark.
29 Sergeant Anderson told me that was said when
30 I was taking the witness stand.



1 Q. You did not hear the lawyer
2 make that remark?

3 A. No, sir, I did not.

4 Q. Anderson told you that?

5 A. Yes, sir.

6 Q. When?

7 A. As I was taking the witness
8 stand at the beginning of the trial.

9 Q. You and Anderson had been
10 sitting beside the Crown Attorney, if I understand,
11 and I want to get the picture exact?

12 A. Yes, sir.

13 Q. And sitting in the Courtroom,
14 I suppose, at a counsel table beside the Crown
15 attorney?

16 A. That is correct, sir.

17 Q. It came time for you to go
18 in the witness box?

19 A. Yes, sir.

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1 Q. And you headed for the witness box?

2 A. Yes. I was sitting like these
3 counsel are here, and got up from the table and
4 walked the same distance, approximately from
5 here to here (indicating), and he turned to
6 Sergeant Anderson when I was in the process of
7 getting into the box and whispered this in
8 Sergeant Anderson's ear.

9 Q. He whispered it to him?

10 A. I didn't hear it. Sergeant Anderson
11 told me that is what he said.

12 Q. When did Anderson tell you?

13 A. After -- I believe it was at adjourn-
14 ment at dinner time. Excuse me, sir, I have a
15 copy of that exact thing I could probably refer to.

16 Q. No, never mind referring to that.
17 Now, when did Anderson tell you about it?

18 A. I can't be sure whether it was the
19 noon recess or just when it was said. It's
20 some time ago. But, I would like to refer to
21 this.

22 Q. Sergeant Anderson told you about it
23 during a recess?

24 A. Yes.

25 Q. Are you sure of that?

26 A. Reasonably sure. I don't want to
27 swear to it because I am not sure unless I
28 refer to it.

29 Q. Well, you have already sworn to it.

30 A. Well, I shouldn't have sworn to it.





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Q. Do you want to change it?

A. Yes.

Q. Change it whatever way you want.

A. I would prefer not to swear to it because it may not have been at the recess. If you would allow me to refer to this.

Q. No, not at the moment.

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THE COMMISSIONER: Q. You didn't hear it?

A. No, sir, I did not hear it.

Q. You were on your way to the witness box and some time later Anderson told you about it?

A. That is correct, sir.

Q. Now, how soon after you had left the witness box did Anderson tell you about it?

A. It would be when nobody was around, so we must have been adjourned for a recess. We weren't in the Court or we could have been in the Court gathering our stuff to go for the recess.

Q. He told you when there was no one around?

A. That is correct.

Q. Was it the same day?

A. Yes, sir. Maybe I am confusing your lordship. It happened on two occasions it was said.

Q. I am only talking about the first occasion upon which it happened.

A. Yes, sir.

Q. What was your reaction as soon as Anderson told you?

A. Well, they denied it and the same as Anderson denied it, and said it was just part of their scheme to upset us in the witness box.

Q. It was a reflection on your character?

A. Yes, sir, it was.

Q. How did you express your resentment





1 about it?

2 A. We thought ---

3 Q. Never mind what we thought. What
4 did you do?

5 A. At that exact time I didn't do anything,
6 sir.

7 THE COMMISSIONER: Now, Mr. Wilson, I
8 have been usurping your function. Go ahead.

9 MR. WILSON: Q. When you say Anderson
10 denied it, a moment ago, what did he deny?

11 A. That him and I were McDermott's
12 stooges.

13 Q. I see. And you were aware of this
14 Ramsay Club brief at the time of the raid on
15 August the 18th, 1958?

16 A. Yes, sir.

17 Q. Who did you understand was the author
18 of that, at that time?

19 A. At the time the author of the
20 brief, we thought it was somebody in the legal
21 profession had drafted it because there was a
22 discussion with Anderson and Shrubb and myself,
23 that it was drafted by the legal trade, because
24 it set out in the brief -- in fact, it was one,
25 I thought, it would be one of the best briefs
26 we ever had to follow in putting a gaming club
27 out of business.

28 Q. As of that date, August the 18th,
29 1958, you knew McDermott was, as you called
30 him, the kingpin of the gamblers?



Dr. J. J. Smith

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1 A. I suspected he was, yes.

2 Q. You knew he had no interest in this
3 Ramsay Club, didn't you?

4 A. Yes. I didn't know for a fact, but
5 I didn't think he had because we thought it was
6 a rival organization, so-called.

7 Q. You thought it was a rival organization?

8 A. Yes, sir.

9 Q. What club had McDermott been in, in
10 that area, just prior to this time, to your
11 knowledge? It was what club?

12 A. I have no knowledge.

13 Q. You know the Frontier Club?

14 A. The which?

15 Q. The Frontier Club at Port Erie in
16 Bertie Township?

17 A. You mean the Ramsay Club?

18 Q. Oh, no.

19 THE COMMISSIONER: Q. You thought the
20 Ramsay Club, which you raided on August 18th,
21 1958, was a rival organization of some club
22 that McDermott had. That is what you told us?

23 A. That is correct, sir.

24 Q. What was the club that he had?

25 A. We didn't know. I didn't know
26 what club he had, sir.

27 Q. You didn't know what club he had?

28 A. We suspected that he did have an
29 interest in a club in Port Erie, prior to
30 this club here, which was also the Ramsay Club.



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1 It was the same club.

2 Q. You thought the Ramsay Club, which
3 you raided on August 18th, was run by a rival
4 organization to McDermott; is that what you
5 are swearing?

6 A. That is correct, sir, through the
7 three thieves. Not just McDermott. We referred
8 to them, in the squad, as the three thieves.

9 Q. You say you don't know where this
10 other organization was operating at the time?

11 A. No, the other organization, sir,
12 was the Ramsay Club.

13 Q. I don't care by what name it was
14 known, it was an organization McDermott was
15 operating, and his rival was the Ramsay Club
16 that you raided on August the 18th?

17 A. You are getting me confused, sir.
18 Would you repeat that?

19 Q. I am not trying to confuse you
20 at all. You just swore that it was your
21 opinion that the Ramsay Club that you raided
22 on August the 18th, was operating as a rival
23 organization to one that McDermott was
24 interested in?

25 A. That is correct, sir.

26 Q. Now, where was the one that he
27 was interested in?

28 A. Well, there wasn't one at all at
29 that time.

30 Q. Then it wasn't operating as a rival



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1 of his if it was out of existence?

2 A. Well, we had the opinion. That was
3 just an opinion and talk on the squad.

4 Q. You are not stupid at all.

5 A. Well, sir, I don't understand you.

6 We suspected that the Ramsay Club was operating
7 in opposition to the three thieves.

8 Q. All right. The three thieves, what?

9 A. To their interest.

10 Q. Where?

11 A. In the area.

12 Q. What area?

13 A. Niagara Falls area.

14 Q. All right. Now, what interest did
15 they have in the Niagara Falls area?

16 A. I do not know any interest they
17 had in the Niagara Falls area.

18 Q. Are you swearing to that?

19 A. Yes, sir. At that time they did
20 not have any interest. I think what they
21 were trying to do at the time was to take
22 control in that area.

23 Q. Of what?

24 A. Of the gambling interest.

25 Q. What gambling interest?

26 A. The Ramsay Club.

27 Q. Yes?

28 A. The Ramsay Club.

29 Q. Any others?

30 A. Well, possibly bookmaking. We always



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1 suspected they were involved in bookmaking.

2 Q. All right, what bookmaking establish-
3 ments did you think they were trying to take
4 possession of?

5 A. Myself, I have no idea, sir. I
6 might just point out, that at the time when
7 Corporal Strubb had left the squad, he did all
8 the telephone checks, checking telephones for
9 the province.

10 Q. He was still on the squad at that
11 time, wasn't he?

12 A. Yes, sir.

13 Q. All right, now, let us not get
14 things confused. You don't want to be confused,
15 do you?

16 A. No, sir, I do not.

17 Q. Neither do I. We are talking about
18 the date you raided the club on August 18th.

19 A. Yes, sir.

20 THE COMMISSIONER: I was trying to keep
21 him to that, Mr. Wilson.

22 MR. WILSON: Yes.

23 Q. Now, were you ever in on a raid on
24 the Frontier Club in Bertie Township?

25 A. The Frontier Club?

26 Q. Well, you know it by some other name.
27 Do you know any other gambling establishment in
28 Bertie Township?

29 A. Yes, the Ramsay Club was in Bertie
30 Township, and the Lorelei Club, and I believe



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1 it changed to the Ramsay Club.

2 Q. Yes. What did it change to after
3 that?

4 A. I am not sure. I think it changed
5 to the Merchant Seamen's.

6 Q. What did it change to after that,
7 in 1957?

8 A. The Frontier Club. That is correct.

9 Q. Yes?

10 A. Yes, sir.

11 Q. And the Frontier Club was reputed
12 to be a club that McDermott had an interest in,
13 wasn't it?

14 A. Yes, there was gossip among the
15 squad to that effect, yes.

16 THE COMMISSIONER: Q. Was that the one
17 that was in opposition to the Ramsay Club?

18 A. I don't believe that club was
19 operating at the time because the Bertie Township
20 police -- the Bertie Township formed its own
21 police department and they raided that club
22 and put that club out of business.

23 MR. WILSON: Q. The information is that
24 it went out of business in July, 1958. But
25 that is the rival one where the McDermott
26 interests had their operation up until July,
27 1958, at the Frontier Club?

28 A. There was gossip and suspicion
29 that they did, yes. They had an interest
30 in it. They didn't run it or anything, but-



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1 we were under the impression they did have an
2 interest in it, that is correct.

3 Q. Now, coming back to the Ramsay Club.
4 As a result of what you have told us you became
5 suspicious of whom?

6 A. Of Anderson.

7 Q. Of Anderson. And what was it that
8 Anderson did or didn't do that made you suspicious?

9 A. Because when we submitted this
10 memorandum to the Commissioner, to ask for
11 permission to sue, on instructions -- not
12 instructions, but on a telephone conversation
13 from Mr. Forrestall. We never did receive a
14 reply from that memorandum, and I asked Sergeant
15 Anderson about it and he seemed very vague and
16 he just brushed it off.

17 Q. Now, you mentioned the brief. Who
18 did you say you discussed it with and thought
19 it was such a wonderful effort?

20 A. Sergeant Anderson, Constable Scott
21 and officers on the raiding party.

22 Q. What about Shrubbs? Did you discuss
23 it with Shrubbs?

24 A. Yes, I believe Shrubbs. In fact, I
25 think he was on his holidays and that is why
26 he wasn't in charge of the raid. I am guessing
27 again, but I am trying to do the best I can.
28 I believe he was on his holidays, but he made
29 a remark that he could have put the club out
30 of business, himself, on the information he



1 received from the three thieves.

2 Q. When did you discuss the brief with
3 Shrubb? Before or after the raid?

4 A. I think that we received the brief
5 about two weeks before the raid. I am guessing
6 again, but approximately a couple of weeks
7 before the raid, and I believe he was going
8 to go on his holidays and it would be raided
9 around that period, around, say, the 1st of
10 August of that year. Somewhere in that period.

11 THE COMMISSIONER: Q. That what?

12 A. That I discussed it with Shrubb.

13 MR. WILSON: Q. That is before he went
14 on his holidays?

15 A. I believe it was before he went on
16 his holidays, yes.

17 Q. He wasn't around on August the 18th?

18 A. I don't think he was, sir, no.

19 Q. That is when you became suspicious
20 of Anderson. Now, what is the next person
21 you became suspicious of, and why?

22 A. I became suspicious of Constable
23 Scott.

24 Q. What were your reasons?

25 A. There were three or four reasons.
26 One reason was back in '50 -- either 1959, I
27 believe it was, that we had planned joint
28 raids in the City of Toronto, in the City of
29 Guelph, and the New York State Police also
30 had planned raids over in New York State, I



PROCEEDINGS OF THE BOARD OF DIRECTORS

1. The Board of Directors met on the 1st day of January, 1901.

2. The minutes of the last meeting were read and approved.

3. A report was made by the Treasurer, showing the financial condition of the corporation.

4. The Board of Directors resolved to accept the report of the Treasurer.

5. The Board of Directors resolved to pay the dividends on the shares of the corporation.

6. The Board of Directors resolved to pay the salaries of the officers and directors.

7. The Board of Directors resolved to pay the expenses of the corporation.

8. The Board of Directors resolved to pay the interest on the bonds of the corporation.

9. The Board of Directors resolved to pay the taxes on the property of the corporation.

10. The Board of Directors resolved to pay the expenses of the legal counsel.

11. The Board of Directors resolved to pay the expenses of the printing and stationery.

12. The Board of Directors resolved to pay the expenses of the transportation.

13. The Board of Directors resolved to pay the expenses of the advertising.

14. The Board of Directors resolved to pay the expenses of the insurance.

15. The Board of Directors resolved to pay the expenses of the other items.

16. The Board of Directors resolved to pay the expenses of the other items.

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30. The Board of Directors resolved to pay the expenses of the other items.



1 believe in Buffalo and Niagara Falls, New York.
2 And myself, I raided a premises in Toronto,
3 here, and other officers raided those premises
4 in Guelph. In Guelph, one is a convicted
5 bookmaker I know of.

6 Q. Were you there?

7 A. No, sir, I wasn't there, but I was
8 told there had been a tip-off.

9 Q. You were told there had been a
10 tip-off?

11 A. Yes, sir. In fact, Constable Scott
12 phoned me, and Anderson and I discussed it.

13 Q. Constable Scott phoned you, do you
14 say?

15 A. I don't think -- he told me -- I
16 think what happened that time, I believe we
17 were all going hunting on the Saturday. I
18 believe I didn't see Scott until the next day,
19 when we were hunting, and he told me at the
20 time there had been a tip-off in Guelph, on
21 those premises -- Silvestor or Silvester.
22 And this Silvester, I believe, had his mother --
23 Scott told me once, his mother lived in the
24 house of Silvester and pays the rent to the
25 Silvesters.

26 MR. WILSON: Q. That is the reason you
27 became suspicious of Scott?

28 A. That is one reason, sir.

29 Q. What is another reason?

30 A. Another reason is, when we split up --



1 when I was split up, we used to check telephone
2 records all over the province.

3 THE COMMISSIONER: Q. Who?

4 A. Moore, Scott and myself. What we
5 did was to take a certain area so we would get
6 more work done, rather than take a big area.
7 I was left in charge of the City of Toronto,
8 and Shrubbs -- not Shrubbs, but Moore had the
9 Niagara Peninsula, I believe, and Hamilton.
10 Scott had London, Windsor, up in that area.

11 Q. What were you doing?

12 A. Checking the Bell Telephone records.
13 We would obtain a warrant to search and check
14 all the records relating to a telephone number
15 of a suspected bookmaker. Now, Scott would
16 not raid at all in Guelph. He said, "When it
17 comes to a raid, keep me out of it. I want
18 no part of a raid in Guelph." He didn't
19 mind checking the records there, but didn't
20 want to go on raids there. I recall one
21 incident of a raid and he was away working
22 in Cornwall, I believe, undercover, and Corporal
23 Shrubbs and I raided some premises, I believe,
24 in 1954, and the only two people who knew of
25 the raid was Anderson, Shrubbs and myself.
26 Scott was out of town and we raided and obtained
27 the evidence and convicted this Mr. Silvester.
28 When Scott was informed and knew that the
29 raids were going on, we never did obtain any
30 evidence. I do think this Commission should

[illegible]



1 investigate Constable Scott thoroughly.

2 MR. WILSON: Q. Have you any other reasons
3 for being suspicious of Constable Scott?

4 A. Well, him and a partner, they had
5 a loan company in Guelph, there. This partner
6 or some friend of his worked in a bank and
7 apparently, when people walk into the bank for
8 a small loan, this fellow, partner in the bank,
9 would steer the business to Scott and this
10 other man's loan company, and they would loan
11 money out at an interest.

12 THE COMMISSIONER: Q. Who told you that?

13 A. Scott.

14 MR. WILSON: Q. Yes. Any other reason
15 for being suspicious of Scott?

16 A. May I refer to my notes?

17 THE COMMISSIONER: Q. Can't you remember?

18 A. I believe that ---

19 Q. That covers the ground?

20 A. Yes, sir.

21 MR. WILSON: Q. Was there anybody else
22 you got suspicious about? You told us about
23 Anderson and Scott. Now, who else?

24 A. Well, I was suspicious of -- there
25 was somebody I felt was tipping off the gamblers
26 and I didn't know who it was.

27 Q. You were, I take it, apart from
28 what remarks you have made about Shrubbs, the
29 only honest man on the anti-gambling squad,
30 say, in 1958?

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1 A. I beg your pardon, sir?

2 Q. Apart from yourself, the only other
3 honest man on the squad was Shrubbs. Was that
4 about it?

5 A. Shrubbs was a very efficient police
6 officer.

7 THE COMMISSIONER: Q. He was the only other
8 honest man on the squad, besides yourself?

9 A. Back in 1958 I had no suspicions.
10 These different things added up over a period
11 of time until I was transferred, and then I
12 thought of those suspicions.

13 MR. WILSON: Q. Do you want to change your
14 story?

15 A. It isn't a story, sir, I am telling
16 the truth.

17 Q. You became suspicious of Anderson
18 in 1958?

19 A. Yes, that is correct.

20 Q. So you did have suspicions in 1958?

21 A. Yes, but as I say, I dismissed
22 them from my mind.

23 THE COMMISSIONER: Q. You what?

24 A. I dismissed them from my mind at that
25 time in 1958.

26 Q. Why?

27 A. Everything seemed all right in it
28 until, up until 1959 and my transfer.

29 Q. You became suspicious of a fellow
30 officer in 1958, but you banished the suspicion



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1 from your mind; is that right?

2 A. I didn't banish them. I had them in
3 the background of my mind. I thought I could
4 be wrong.

5 Q. Everything went all right until when?

6 A. Until that tip-off at Guelph.

7 Q. And then you became suspicious of
8 Scott?

9 A. Yes, sir.

10 Q. All right, now, we have the names
11 and dates of two. Who is the next one you
12 became suspicious of?

13 A. Well, then, over the years we
14 used ---

15 Q. I would like to know who the next
16 one was. Does nothing stand out in your
17 mind?

18 A. The Commissioner's office.

19 MR. WILSON: Q. When did you become
20 suspicious of the Commissioner's office?

21 A. There was several times we would
22 contact ---

23 Q. What year are we talking about?

24 A. Now I am talking about 1955, '56,
25 '57, '58 and '59.

26 Q. Now, just a moment ago you said
27 you had no suspicions prior to 1959.

28 THE COMMISSIONER: 1958.

29 MR. WILSON: Which is it?

30 THE COMMISSIONER: 1958.



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1 Anderson in August of 1958.

2 MR. WILSON: Yes, in August of 1958.

3 Q. You said you had no suspicions prior
4 to August of 1958?

5 A. I don't know just how to say it, but
6 these things all over a period of time build up
7 in my mind. A lot of things put together, and
8 then I thought finally, about 1958, the incident
9 at the Ramsay Club, and then there was the
10 incident of the tip-off in Guelph.

11 THE COMMISSIONER: Q. We are trying to
12 sort them out, you see. We have the Ramsay
13 Club in August, 1958. We have the Guelph
14 incident in 1959. What time in 1959, by the
15 way?

16 A. I believe it was in October of 1959.

17 Q. All right. Now, up until then you
18 had in your mind two persons of whom you were
19 suspicious, Anderson and Scott?

20 A. Yes, sir.

21 Q. And then there came a time when you
22 were suspicious of somebody else. What was the
23 next?

24 A. At that time I was suspicious of
25 somebody in the Commissioner's office.

26 Q. Who?

27 A. I suspected everybody who was involved
28 with the office.

29 Q. Whodid they include?

30 A. Commissioner Clark.



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1 Q. Yes?

2 A. Norm Phelps.

3 Q. Yes, go on.

4 A. I am just trying to think of exactly
5 at that time. And Kennedy, Assistant Commissioner
6 Kennedy, and Commissioner McNeill. That would
7 be about all at the time.

8 Q. Not Bartlett?

9 A. No, sir, he had nothing to do with
10 our squad at the time, to my knowledge.

11 Q. I am not limiting you to the squad.
12 I am limiting it now to everybody at headquarters.

13 A. The suspicions came about as a
14 result of me being on the squad, and these are
15 people I dealt with.

16 Q. I know. The third group includes
17 Clark, Phelps, Kennedy, McNeill. Anybody else?

18 A. No, I believe that is all at that
19 time.

20 Q. All right. Now, I will ask you at
21 what date you became suspicious of those people.

22 MR. WILSON: Q. What was the basis of
23 those suspicions?

24 A. Because there would be meetings
25 between Sergeant Anderson and the Commissioner's
26 office with respect to raids on the club, the
27 Vets Club. There would be the club in Fort
28 Erie and we wanted to raid it continually and
29 put it out of business. I suggested to Anderson
30 that we raid it continually and he said, "No,



85.9 2.3



1 we won't." We did raid it, I think, for a couple
2 of weeks, or kept observations on it as well,
3 but then we stopped and Anderson told me and
4 Shrubb told me we were stopped by the Commissioner's
5 office, the higher-ups. Because I couldn't
6 understand why we couldn't raid it, the same
7 as the Bertie Township, they raided it every
8 night and finally they closed it up, and yet
9 we couldn't raid.

10 Q. What did Sergeant Anderson tell you
11 the reason was for not raiding every night?

12 A. We weren't allowed to. We were
13 stopped by our superiors.

14 Q. I take it, you had been raiding
15 that club over the years without getting any
16 evidence upon which to found a prosecution?

17 A. Yes, sir, that is correct, sir.

18 Q. And all those suspicions in your
19 mind sort of came to a head at the time you
20 were transferred to Belleville; is that right?

21 A. Yes, sir.

22 Q. And then you worked out this scheme
23 or plan to contact McDermott and try to sell
24 yourself to McDermott?

25 A. That is correct, sir.

26 Q. And you also thought it might be
27 a good idea to start a little diary or notebook,
28 about that time, too, didn't you?

29 A. Yes, sir, I decided I should make
30 some notes, yes, sir.



1 Q. And sort of put down the historical
2 background of what had happened up to that time?

3 A. Yes, sir.

4 Q. Yes. And the notebook was started
5 just a few weeks before you contacted Constable
6 George Scott and started to have dealings with
7 him; isn't that right?

8 A. Yes, sir, it was.

9 Q. And then your first contact with
10 Constable George Scott was February the 5th, 1960?

11 A. May I refer to a copy of that
12 notebook? I am not sure exactly of the date,
13 sir.

14 Q. Well, it is around that date. And
15 you were the one who called him, isn't that right,
16 and set up an appointment?

17 A. Yes. I think I might have even gone
18 to his house on that occasion, because we had
19 been friends for years at this time.

20 Q. This arrangement or this meeting
21 you had set up, wasn't out of any friendship.
22 You were going, as I understand you, you were
23 going to see whether or not you could pin
24 something on him?

25 A. No, I wasn't going to try to pin
26 anything on him. What I was trying to do
27 was to get to the bottom of the people on the
28 anti-gambling squad, and whether Scott knew
29 any particular gamblers. I didn't want to
30 pin anything on anybody.



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1 Q. How were you going to bring that
2 about, by contacting George Scott?

3 A. I was going to try to see if he had
4 been in with the gamblers after establishing --
5 having him believe I was in with the gamblers
6 and that he would gain my confidence and
7 I would gain his confidence and he would
8 voluntarily give me information.

9 Q. Now, these various meetings I am
10 going to refer to later. Following these
11 various meetings, did you keep on contacting
12 Joseph McDermott?

13 A. Sometimes I contacted him before
14 I talked to Scott. Sometimes I would talk
15 to him after.

16 Q. But you kept McDermott informed
17 about what was happening between Scott and
18 yourself?

19 A. No, sir, I did not.

20 Q. You did not?

21 A. Yes, sir.

22 THE COMMISSIONER: Q. When did you drop
23 McDermott?

24 A. When did I drop McDermott? I don't
25 know just what you mean, drop him.

26 Q. You got in touch with him a number
27 of times and he didn't give any indication of
28 being willing to make any arrangement with
29 him, and, as I understand it, you just dropped
30 him?



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1 A. Yes. It would be about the end of
2 April. I thought that probably him and Scott
3 both had been playing me for a fool.

4 MR. WILSON: Q. About the time that you
5 ceased your relationship or stopped your meetings
6 with Scott, that was about the time that you
7 had given McDermott's number -- telephone number
8 to Scott, and he was communicating directly
9 with McDermott, himself, wasn't he?

10 A. Yes, sir. I gave him the number
11 because I thought he would tell me he already
12 had the number and had been already calling him.

13 Q. Once you had given him the number
14 and you learned that he was communicating
15 direct, you dropped out of your routine of
16 meeting with him from week to week. That is,
17 with Scott?

18 A. I don't understand what you mean.
19 Would you repeat that again, sir?

20 Q. After you gave Scott McDermott's
21 telephone number, you ceased to have these
22 regular meetings and communications with George
23 Scott, didn't you?

24 A. No, I believe I still met him after.

25 Q. But you stopped your diary, didn't
26 you?

27 A. I was going to go into Toronto ---

28 Q. I say, you stopped your diary at
29 that point?

30 A. I stopped my diary?



1 Q/ You stopped making any notations in
2 your diary, or your notebook?

3 A. Yes, I did stop because I was going
4 to go into Toronto and inform the Commissioner,
5 when I had some time off around the 1st of May
6 and I was going to come in and tell him.

7 Q. There was no further need for you,
8 once you put him in direct contact with
9 McDermott, to make any further notes?

10 A. I don't understand what you mean,
11 sir.

12 Q. You heard the question.

13 A. I don't understand what you mean.

14 Q. Why didn't you continue to make
15 any further notes after you put him in direct
16 contact with McDermott?

17 A. I believe I stopped my notes before
18 I put him in contact with McDermott.

19 Q. Well, the record will speak for
20 itself. Now, you say you had in mind going
21 to see the Commissioner?

22 A. Yes, sir.

23 Q. About what?

24 A. About my investigation.

25 Q. When were you going to do this?

26 A. I was going to go in on the 1st
27 of May. I had three or four days off, and
28 then I decided at that time -- in fact, I
29 went away fishing with Roy Wood at the time,
30 and I had my holidays coming up three weeks

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very important document, as it contains the President's views on the state of the Union and the progress of the war. The letter is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.

2. The second part of the document is a report from the Secretary of the War Department, dated January 10, 1862. It is a very important document, as it contains the Secretary's views on the state of the war and the progress of the military operations. The report is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.

3. The third part of the document is a report from the Secretary of the Navy Department, dated January 10, 1862. It is a very important document, as it contains the Secretary's views on the state of the navy and the progress of the naval operations. The report is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.

4. The fourth part of the document is a report from the Secretary of the Treasury Department, dated January 10, 1862. It is a very important document, as it contains the Secretary's views on the state of the treasury and the progress of the financial operations. The report is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.

5. The fifth part of the document is a report from the Secretary of the Interior Department, dated January 10, 1862. It is a very important document, as it contains the Secretary's views on the state of the interior and the progress of the land operations. The report is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.

6. The sixth part of the document is a report from the Secretary of the War Department, dated January 10, 1862. It is a very important document, as it contains the Secretary's views on the state of the war and the progress of the military operations. The report is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.

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10. The tenth part of the document is a report from the Secretary of the War Department, dated January 10, 1862. It is a very important document, as it contains the Secretary's views on the state of the war and the progress of the military operations. The report is written in a very formal and dignified style, and it is one of the most important documents of the Civil War era.



1 later and I was going to come in to Toronto, down
2 here. In fact, I made a statement to Inspector
3 Graham at the time I was arrested, I was going
4 to go to see Commissioner Clark and if I had
5 no satisfaction there I would go to Attorney
6 General Roberts, and if I had no satisfaction
7 there I would go to see the C.C.F. member
8 MacDonald, and that statement was never put in
9 my trial. I don't know why.

10 Q. Did you ever sign a statement when
11 Chief Inspector Graham went to see you?

12 A. No, I don't believe I signed a
13 statement.

14 Q. Why?

15 A. I believe a statement is good whether
16 it is signed or not.

17 Q. I see. Well, nobody was stopping
18 you. You never brought this matter to the
19 attention of the Commissioner?

20 A. I never got a chance to.

21 Q. You never had a chance to. You
22 weren't arrested for a considerable time after
23 you had given Scott McDermott's telephone
24 number and knew he was in communication with
25 McDermott?

26 A. Would you repeat that?

27 Q. You had at least a month or more
28 then, did you not, to bring the matter to the
29 attention of the Commissioner?

30 A. Yes, sir.





1 Q. Before you were arrested, after you
2 had given McDermott's number to Scott?

3 A. Yes, sir.

4 Q. Isn't that right?

5 A. Yes, sir. I didn't -- in fact, I
6 didn't know whether I should go to the
7 Commissioner. I was hesitating whether I
8 should go right to the Attorney General's
9 Department.

10 Q. You didn't consider going to the
11 Commissioner or the Attorney General more
12 important than going fishing on the 1st of May?

13 A. No, sir, because I knew I would
14 have some time off. I was going to start
15 my holidays a few weeks later and I would sit
16 down and speak with him. I spent a lot of
17 time thinking about what I would say about
18 the investigation, and I had spent a lot of
19 money on the investigation. I understand there
20 was a law enforcement fund I could retrieve
21 it from.

22 Q. You didn't think of going to the
23 Commissioner, whom you had suspicions of?

24 A. Yes.

25 Q. It was because of the suspicions
26 you hadn't gone to him before you embarked on
27 this so-called scheme or arrangement?

28 A. That is correct.

29 Q. But after you had given McDermott's
30 number to Scott, you then thought you might go,



Q. Now, you were at the house, weren't you?

A. Yes, I was.

Q. And you were there on the 1st of May?

A. Yes, I was.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?

A. Yes, I didn't see any of the people who were there.

Q. Now, you said that you didn't see any of the people who were there?



1 or that you would go to see the Commissioner and
2 tell him about it?

3 A. What is that again, now?

4 Q. Well, you had the opportunity to see
5 the Commissioner up to May 28th, and you never
6 made use of it, did you?

7 A. That is correct, sir.

8 Q. Now, coming back ---

9 THE COMMISSIONER: Q. You continued your
10 suspicions of him?

11 A. Yes, sir. I didn't know whether
12 to go over his head and go right to the
13 Attorney General's Department or I didn't know
14 whether if I went to the Attorney General's
15 Department -- because of conversations that I
16 had with Shrubbs and Anderson prior to even my
17 transfer, when the clubs were being stopped
18 from being raided, I thought the best person
19 to go to see was Mr. McDonald of the C.C.F.,
20 and I told that in my statement and they didn't
21 even put it in my trial. I think that was ---

22 MR. WILSON: Q. You didn't go into the
23 witness box at the trial to tell your story?

24 A. I was told I didn't have to go
25 into the witness box.

26 Q. I understand that.

27 A. My lawyer told me there was no
28 necessity of going into the witness box.

29 Q. You could have gone into the witness
30 box?





1 A. That is correct, I could have gone
2 into the witness box, yes, sir.

3 Q. But you didn't see fit to do so?

4 A. Sir, I was being guided by my learned
5 counsel man at the time. I was guided by what
6 they said and they told me what to do and
7 points in the law.

8 Q. You are not suggesting they gave
9 you bad advice, are you?

10 A. I certainly am not, sir. No, sir.

11 Q. But you could have told your story
12 then, if you wanted to?

13 A. What I wanted was a Royal Commission.
14 That is what I wanted. Just as we have to-day,
15 and have this stuff exposed.

16 Q. Now, just on that note, you have
17 told us of your suspicions of certain people.
18 Is there anything else you think this Commissioner
19 ought to know about, that is relevant to the
20 Commission?

21 A. No, not at the time. I think you
22 have covered it fairly well.

23 Q. What is it? Let us have it clear --
24 a clear understanding. What is it you wanted
25 exposed?

26 A. Why our department was hampered in
27 the raiding of clubs and stopped from raiding
28 the clubs and keeping information, and also
29 there was interference, I recall, back in 1954
30 and 1955, when P.C. Scott and Moore were down



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1 at Windsor, and they had, I believe, seized a
2 number of pinball machines. And those pinball
3 machines -- it was our custom to play the
4 machines and charge them with keeping a common
5 gaming house. At that time there was an
6 election and somehow we got instructions at
7 our branch on Sherbourne Street that there
8 would be no charge in connection with these
9 pinball machines until after the election,
10 and Scott told me that and so did Moore. They
11 can tell you themselves. This is back in
12 1954 and 1955.

13
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CC/1/SW

1 MR. WILSON: Q. And that is one of
2 the things you want exposed here?

3 A. Yes. And since Corporal
4 Shrubb told me he had concrete proof of a
5 lot of this, and I would like to see the
6 concrete proof that he has got. He showed
7 me a list of -- not a list -- but some photo-
8 stat tickets before he left the Force, and
9 said he had the concrete proof of higher-ups
10 in our department being crooked.

11 Q. Yes, and what else did he
12 have in the way of proof?

13 A. I don't know what proof. He
14 didn't tell me. He just showed me these --
15 just enough for me to see he had something.
16 I know there was telephone tickets.

17 Q. I take it, that from your
18 description of Shrubb, he would come forward
19 with that evidence to this Commission, if he
20 had it?

21 A. I would certainly think he would,
22 yes, sir. I believe we all talked often,
23 Anderson, Shrubb and myself, and Constable
24 Armstrong, that we should have a Royal Commission.

25 Q. And what else is it that you
26 think should be exposed before this Commission?

27 A. Well, that is pretty well it,
28 sir.

29 Q. That is pretty well it. Now
30 to
then, let us get back at your meetings with



100-443887-1000



1 George Scott, starting on February 5th.

2 Would you give the witness a copy of
3 Exhibit No.61? ---

4 Q. So that you will be able to follow
5 this a little better. You may be able
6 to follow my questioning a little better
7 if you have that before you, and open it
8 at the report which is dated February 11th,
9 1960.

10 I may tell you that this exhibit is
11 a report, in fact ten reports, made by
12 Constable George Scott as a result of various
13 meetings he had with you in the period of
14 February 5th, 1960, down to May 27th.

15 A. I have February 11th, sir, at
16 the top.

17 Q. Yes, but you know that this
18 is the date of the report, but it includes
19 certain earlier dates.

20 A. Oh, I see.

21 Q. The events that occurred on
22 earlier dates, the first of which is February
23 5th.

24 A. Yes, sir.

25 Q. Now taking February 5th, you
26 said the first meeting you had with Constable
27 Wright, or Constable Scott, and you see the
28 notation he has made there, February 5th:

29 "Feb.5 On this day, Prov.Const.

30 "Wright came to my home and after



Q. Now, would you please state the date of the meeting?

A. I would say that it was on the 1st of May.

Q. And the time of the meeting?

A. I would say that it was at about 10 o'clock in the morning.

Q. And the place of the meeting?

A. I would say that it was at the residence of the deceased.

Q. And the persons who were present at the meeting?

A. I would say that the persons who were present were the deceased, the deceased's wife, and the deceased's children.

Q. And the subject of the meeting?

A. I would say that the subject of the meeting was the will of the deceased.

Q. And the result of the meeting?

A. I would say that the result of the meeting was that the will was read and the contents were explained to the family.

Q. And the date of the meeting?

A. I would say that the date of the meeting was the 1st of May.

Q. And the time of the meeting?

A. I would say that the time of the meeting was at about 10 o'clock in the morning.

Q. And the place of the meeting?

A. I would say that the place of the meeting was at the residence of the deceased.

Q. And the persons who were present at the meeting?

A. I would say that the persons who were present were the deceased, the deceased's wife, and the deceased's children.

Q. And the subject of the meeting?

A. I would say that the subject of the meeting was the will of the deceased.

Q. And the result of the meeting?

A. I would say that the result of the meeting was that the will was read and the contents were explained to the family.

Q. And the date of the meeting?

A. I would say that the date of the meeting was the 1st of May.

Q. And the time of the meeting?

A. I would say that the time of the meeting was at about 10 o'clock in the morning.

Q. And the place of the meeting?

A. I would say that the place of the meeting was at the residence of the deceased.



1 "visiting with my family for
2 "some time, I accompanied P.C.
3 "Wright to the Wallace Hotel,
4 "corner of Donlands and O'Connor
5 "Drive, East York. After
6 "discussing the working conditions
7 "at Belleville, P.C. Wright made
8 "the following statements: -"

9 Q. I am going to go over these, and
10 you tell me on each one of them whether you
11 said it, or you didn't say it. No.1:

12 "About 2 weeks ago I stopped a
13 "car for speeding and the driver
14 "turned out to be one of the
15 "gamblers from Toronto."

16 Did you make that statement?

17 A. Yes, sir, I did.

18 Q. No.2:

19 "This gambler was quite surprised
20 "to see me in uniform."

21 A. Yes, sir, I told him that.

22 Q. No.3:

23 "This guy asked me if I would be
24 "interested in forwarding
25 "information to the principals
26 "behind the ~~gsm~~ gambling
27 "establishments at Cooksville and
28 "Niagara Falls. (The vets Club and
29 "Ramsay Club)."

30 Did you make that statement?





1 A. Yes, sir, I did.

2 Q. And the Ramsay Club spoken of
3 there was the Ramsay Club being as carried on
4 at a new address, was it not, not at the
5 address where you made the raid on August 18th,
6 1958?

7 A. Yes, I believe there was another
8 address, yes, sir, they did move, I think.

9 Q. And what was your knowledge
10 of the interest of McDermott, if any, in
11 the Ramsay Club, as of February, 1960?

12 A. I had no knowledge, February, 1960,
13 other than talking gossip on the squad that
14 they did have an interest in it.

15 Q. Now, 4:
16 "The information would be obtained
17 "by you (Const. Scott), forwarded
18 "to me at Belleville and I, in
19 "turn would forward it to Toronto."

20 Did you make that statement to that
21 effect?

22 A. Yes, sir, I did.

23 Q. 5:
24 "We can make about \$400.00 for
25 "the two of us."

26 Did you make that statement?

27 A. After discussing, we arrived
28 at that figure, that's right, sir.

29 Q. That was the figure you were
30 going to charge for conveying this information



1 to the gamblers?

2 A. That is the figure I wanted
3 him to think I was charging, that's right, sir.

4 Q. And then 6:

5 "All the gamblers want to know is
6 "the time the clubs will be raided
7 "and the police of the branch."

8 Did you make that statement?

9 A. Yes, sir, I did.

10 Q. And 7:

11 "As far as bookmaking is concerned
12 "they don't want any information
13 "on that at all."

14 Did you make that statement?

15 A. There was a discussion as to
16 that, and I believe Scott, after two of us
17 come to the conclusion that we should not
18 become involved with any bookmaking information.
19 Yes, I believe - I don't know for sure if
20 I said it, or he said it, but either one of
21 us could have said it.

22 Q. And 8:

23 "This guy told me to give him a
24 "call when I came to Toronto."

25 Did you make that statement?

26 A. Yes, I did, sir.

27 Q. Now at this stage, did Scott
28 say to you that he wasn't sure if he would
29 go along with the proposal?

30 A. I think he did say that he wanted



(Signature)

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.



1 to think about it, I think, or something
2 to that effect.

3 Q. And at that stage, did you
4 go out and phone somebody, as he says ---

5 A. Yes.

6 Q. -- says you did.

7 A. I went to -- I recall sitting in
8 the Wallace Hotel, and I went to telephone,
9 and I dialed - appeared that I was making a
10 telephone call, yes.

11 Q. But you didn't make it?

12 A. I did not make a phone call,
13 no sir.

14 Q. And 9:

15 "I talked to the guy and it looks

16 "like we can get about \$200.00

17 "each per month."

18 Did you make that statement?

19 A. Yes, sir, I did, after making
20 it look like I made a phone call.

21 Q. And 10:

22 "The reason they want to know when

23 "the raids are going to take place

24 "is because they get the 'big shots'

25 "out there and the 'big shots' don't

26 "like to be caught in raids. I

27 "have even heard that Fred Gardiner

28 "has been out there."

29 Did you make that statement?

30 A. No, sir. I did tell him about



no other person, and I am not

no other person.

no other person, and I am not

no other person, and I am not

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1 the big shots though, I recall; we raided
2 one time and we found a Kitchener lawyer out
3 there, and I got the impression that big shots
4 did go there, and I wanted him to appreciate
5 it, but as far as Mr. Fred Gardiner, I didn't
6 say anything about Fred Gardiner at all.

7 Q. And 11:

8 "This would not interfere with
9 "your work because you are not going
10 "to get anything on the rt raids.

11 "They (the gamblers) know that the
12 "only way you can get the clubs is
13 "with an undercover man and they

14 "know there is a tight money
15 "policy and the force will not
16 "employ an undercover man."

17 Did you make that statement?

18 A. I told him that this was my own
19 idea, yes, sir.

20 Q. Now is that the substance that of
21 the statement you made on that particular
22 occasion, that we have just gone over, or
23 was there anything else?

24 A. Could I refer to my notebook,
25 sir?

26 Q. Before you refer to your note-
27 book, what was the stage of your discussions
28 with McDermott whom you had been calling
29 regularly since the beginning of the year,
30 as of February 5th?

[illegible]

2019年12月31日 星期三

[Faint, illegible text]



1 A. Well, I wasn't getting very
2 far with him, because he would talk about
3 all kinds of crazy talk about politics, and
4 he would talk about paving streets, and he
5 was very evasive all along. But I was trying
6 to sell him the impression the branch knew
7 what was going on.

8 Q. And between, say, the 1st of
9 January, 1960, and the 5th of February, how
10 many conversations on the telephone did you
11 have with Joseph McDermott?

12 A. Between the first and ---

13 Q. January, and the 5th of February?

14 A. Oh, I can only guess, but I
15 would say probably maybe half a dozen calls.

16 Q. Some of these, I think you told
17 us, took place when you were still in Toronto,
18 and before you moved to Belleville?

19 A. That is correct, sir.

20 Q. Now how was it left at the end
21 of the meeting on February 5th?

22 A. Could I refer to my notes? I
23 have notes of the meetings too, sir.

24 Q. Yes, you have got some notes.
25 Well, let us see what your notes say.

26 A. This is a copy that was used
27 at my trial, of the notebook. Mr. Hartt's
28 copy.

29 Q. Well, where is the original?
30 I think we would prefer to have the original.



A. Well, I think it is very

that with this, because of World War II

and the fact that the government is

he would talk about private property, and so

and very extensive all things. And I am going

to tell you the government is going to

and the fact that

and the fact that

January, 1942, and the fact of the

and the fact that

and the fact that

A. Well, I think it is very

and the fact that

and the fact that

and the fact that

and the fact that

and the fact that

and the fact that

A. That is correct, and

and the fact that

and the fact that

of the month of January 1942

A. Could I refer to it as the

and the fact that

A. Yes, you have got some

Well, let me see what your

A. That is a very good

at the end of the month.

and the fact that

A. Well, when we are

and the fact that



1 A. Yes, I believe they are in
2 the Supreme Court ---

3 THE COMMISSIONER: Q. They were
4 exhibits at your trial?

5 A. Yes.

6 MR. WILSON: Q. Well, this, you say, is
7 a copy of the notes you started to make,
8 and the first entry was January 13, 1960?

9 A. Yes, sir.

10 Q. And there you wrote about two
11 pages of history and then the first entry
12 that relates to any meetings with Scott,
13 starts on page 3, and is under the date of
14 February 5th?

15 A. Yes, sir, that's correct.

16 Q. Now, did you write that historical
17 preface or opening all at one time, all on
18 January 13th?

19 A. Oh, no, sir, it would be over
20 a period of a few days, possibly different
21 things come to mind.

22 Q. That's right, that is why you
23 were still in Toronto?

24 A. Yes, some - oh, I would have
25 wrote some in Toronto and some I would have
26 wrote in Belleville.

27 Q. Did you ever confide in anybody
28 about what you were going - the scheme you were
29 going to work on - this plan you had?

30 A. Just my bank manager, sir.



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1 Q. Your bank manager. What is
2 his name?

3 A. Mr. Hunter.

4 Q. What is his initial?

5 A. M. Hunter.

6 Q. M. Hunter.

7 A. Yes.

8 Q. What branch at what bank - what
9 branch?

10 A. The Bank of Nova Scotia,
11 Broadview and Gerrard Branch.

12 Q. What did you confide in him,
13 and when?

14 A. It would be about, it was when
15 Scott was pressing me for money - I didn't
16 know where to get the money and I had some
17 bonds and cashed them in, and went and told
18 him to make a note of the serial numbers as
19 I was doing an investigation, and I made a
20 note of the serial numbers of the bills.
21 But as far as day-to-day, or anything like
22 that, I didn't confide in anybody, day to day.

23 Q. Where did these bonds come from?

24 A. Bonds I had bought through
25 the Ontario Provincial Police payroll savings
26 deduction plan.

27 Q. Where were they located before
28 you made use of them?

29 A. In a safety deposit box I had
30 at the same bank.

[illegible]



1 Q. But apart from yourself, who
2 would be able to prove that they were in
3 your safety deposit box? Were they bearer
4 bonds?

5 A. They were savings bonds.

6 Q. Were they registered in your
7 name?

8 A. Yes, sir, registered in my
9 name, yes sir. And I believe Inspector
10 Graham, I think he checked that.

11 Q. Now what did you tell this
12 bank manager?

13 A. I just told him that I was going
14 to do special investigation, and that I
15 wanted - needed some money, and could I cash
16 my bonds in, and would you give me some
17 hundred-dollar bills for the bonds, and he
18 said, "Okay". I asked him if he would
19 record the serial numbers of these bills that
20 I received for the bonds.

21 Q. Are you sure you told the
22 manager it was a special investigation?

23 A. I don't know the exact - whether
24 I said "special" - I told him I was doing an
25 investigation. I don't know whether I
26 exactly said ~~me~~ "special".

27 Q. Well, why would you have to tell
28 him that you were doing a special investigation?

29 A. Well, I wanted corroboration
30 of the money that I was using for the investigation.



Q. Now, did you see the man who was with you?

A. Yes, I saw him. He was with me when I was in the car.

Q. Did you see him when you were in the car?

A. Yes, I saw him. He was with me when I was in the car.

Q. Did you see him when you were in the car?

A. Yes, I saw him. He was with me when I was in the car.

Q. Did you see him when you were in the car?

A. Yes, I saw him. He was with me when I was in the car.

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Q. Did you see him when you were in the car?

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Q. Did you see him when you were in the car?

A. Yes, I saw him. He was with me when I was in the car.

Q. Did you see him when you were in the car?

A. Yes, I saw him. He was with me when I was in the car.

Q. Did you see him when you were in the car?



1 Q. You wanted to corroborate
2 what you were doing. That is what it amounts
3 to, isn't it?

4 A. No, sir. I wanted corroboration
5 of the money that I was going to pay to
6 Scott.

7 Q. That is exactly what I am saying,
8 you wanted corroboration that you were using
9 these savings bonds at that time - you were
10 cashing them in, and you wanted to tell
11 somebody what your purpose was?

12 A. My purpose was ----

13 Q. The purpose of cashing them in.

14 A. Yes, that is correct, sir.

15 Q. But why would you need to
16 do that? Why did you need to have corro-
17 boration?

18 A. Well, I was taught, at police
19 college, on any gambling case, and on all
20 the different investigations carried on, that
21 we had to have corroboration.

22 Q. Yes. You were trained in these
23 ideas of corroboration?

24 A. Yes, sir.

25 Q. From your police training?

26 A. Yes, sir.

27 Q. That, I take it, was done about
28 the time you first started to pay money over
29 to George Scott?

30 A. I believe I did that prior -- I



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1 realized I would have to pay him some money
2 when he kept insisting I give him money, he
3 wanted money, and I believe some time prior
4 to when I first -- I can refer --

5 Q. Was it prior to February 5th,
6 prior to your first discussion about how
7 much the two of you were going to get?

8 A. No, sir, it was after.

9 Q. And where did you deposit the
10 proceeds of the sale of these savings bonds,
11 or whatever they were?

12 A. Pardon, sir?

13 Q. The bank manager would take them
14 and sell them on your behalf?

15 THE COMMISSIONER: Did he?

16 A. Well, he gave me money for
17 them, yes.

18 MR. WILSON: Q. He bought them from you?

19 A. Yes.

20 Q. Did you deposit the money in
21 the bank, or did you take it home with you?

22 A. No, no, I took - kept it with
23 me.

24 Q. How much did you get?

25 A. \$1,500.

26 Q. \$1,500, and what bills did you,
27 what denomination of bills?

28 A. All hundreds.

29 Q. All hundreds?

30 A. Yes, sir.





1 Q. And are these the bills that
2 you say subsequently, or part of the bills
3 that you turned over to George Scott?

4 A. Yes, sir.

5 Q. What bonds were these? Did
6 you get \$1,500 even?

7 A. Did I ---

8 Q. Well, did you realize \$1,500
9 even for the bonds you turned over to the
10 bank manager?

11 A. Now then, that's something I
12 can't say for sure, but now I think I might
13 have got a little extra because there was
14 interest on the coupons. I believe that
15 he gave me that in cash. I thought I put
16 it in my bank account, but I am not just sure
17 of what I did there.

18 THE COMMISSIONER: You wouldn't put
19 the odd change in your bank account, and
20 keep the \$1,500?

21 A. Oh yes, sir.

22 Q. You would?

23 A. Yes.

24 Q. I can understand you keeping the
25 odd change and depositing the \$1,500, but
26 not the reverse.

27 A. I could have kept it. I am
28 not sure whether I did put it in the bank
29 or whether I did keep it. I am not sure of
30 that.



And now I am in the same

position as I was in 1917

and I am in the same

position as I was in 1917

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and



1 MR. WILSON: Mr. Commissioner, it
2 is four o'clock.

3 THE COMMISSIONER: We will adjourn
4 until tomorrow morning at ten o'clock.

5
6 ---Whereupon the hearing adjourned at 4:00 o'clock
7 p.m., until tomorrow, Thursday, May 17, 1962,
8 at 10:00 o'clock a.m.
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THE UNIVERSITY OF CHICAGO

IN THE DEPARTMENT OF

THE HISTORY OF THE UNITED STATES

OF THE HISTORY OF THE UNITED STATES

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IN THE SUPREME COURT OF ONTARIO

BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton, in the
County of Hastings, Deceased, and
WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, FRED A. LITTLE and
FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE STERLING TRUSTS CORPORATION,
Executor of The Last Will and
Testament of Dorothy Margaret Brown,
late of the Town of Trenton,
in the County of Hastings, Deceased,
and WILLIAM JOHN BROWN,

Plaintiffs,

- and -

HENRY POSTMA, OLIVE RUSSELL LITTLE,
Executrix of the Estate of
Fred A. Little, and FREDERICK H. LITTLE,

Defendants.

AND BETWEEN:

THE ATTORNEY GENERAL OF CANADA,

Plaintiff,

- and -

HENRY POSTMA, FRED A LITTLE and
FREDERICK H. LITTLE,

Defendants.



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